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Fifty-third session

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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 2nd meeting
Held at Headquarters, New York, on Thursday, 17 September 1998, at 10 a.m.

Chairman: Mr. Macedo ..... (Mexico)

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98-81417 (E)

The meeting was called to order at 10.10 a.m.

Election of officers

1. **Mr. Dumitriu** (Romania) nominated Mr. Hrbáč (Slovakia) and **Mr. Tserenpil** (Mongolia) nominated Mr. Chun Hae-jin (Republic of Korea) for two of the posts of Vice-Chairman.

2. *Mr. Hrbáč (Slovakia) and Mr. Chun Hae-jin (Republic of Korea) were elected Vice-Chairmen by acclamation.*

3. **The Chairman** said he hoped that the Committee would be able to take up the election of the other Vice-Chairman and the Rapporteur at its next meeting. He called on the relevant regional groups to intensify their consultations on the matter.

Organization of work (A/C.4/53/1; A/C.4/53/L.1)

4. **The Chairman** drew the Committee's attention to document A/53/250, which set out the rules and recommendations of the General Assembly concerning the work of the Main Committees, including the scheduling of meetings, explanations of vote, rights of reply, points of order, records of meetings, concluding statements, resolutions and programme budget matters.

5. He intended to convene and adjourn meetings of the Committee on time. During the fifty-second session of the General Assembly the Committee had lost 22 hours owing to the late start and early ending of meetings. Meetings would be convened only when there were sufficient speakers inscribed on the list of speakers, particularly since resources allocated to a meeting cancelled with sufficient warning could be redeployed to other meetings. Draft resolutions, draft decisions and amendments, and the names of the sponsors thereof should be submitted to the Secretariat in writing, in order to ensure accuracy and avoid any possible misunderstandings. Requests for the use of conference rooms for group meetings should also be submitted in writing as early as possible.

6. In view of the number of agenda items and the limited number of meetings made available to the Committee, he suggested that members should not exceed 10 minutes when making statements in general debates and 15 minutes when speaking also on behalf of other delegations.

7. *It was so decided.*

8. **The Chairman** drew the Committee's attention to the letter dated 15 September 1998 from the President of the General Assembly containing the list of items allocated to the Committee (A/C.4/53/1) and to the note on the organization of work (A/C.4/53/L.1), which contained a timetable for the consideration of those items.

9. The first group of agenda items — items 18, 87, 88, 89 and 12 and 90 — related to the question of decolonization. In that connection, he drew the Committee's attention to the aide-mémoire circulated to the Committee containing the provisional list of documents relating to those items. An addendum to the aide-mémoire would be issued.

10. With regard to agenda item 81, "Effects of atomic radiation", the report of the United Nations Scientific Committee on the Effects of Atomic Radiation was contained in document A/53/46.

11. With regard to agenda item 82, "International cooperation in the peaceful uses of outer space", the report of the Committee on the Peaceful Uses of Outer Space would be issued in document A/53/20 in mid-October and the report of the Secretary-General in document A/53/265.

12. With regard to agenda item 85, "Comprehensive review of the whole question of peacekeeping operations in all their aspects", the report of the Special Committee on Peacekeeping Operations had been issued as document A/53/127.

13. With regard to agenda item 83, "United Nations Relief and Works Agency for Palestine Refugees in the Near East", the Commissioner-General's report would be issued as document A/53/13. The note by the Secretary-General transmitting the report of the United Nations Conciliation Commission for Palestine would be issued in October, as would the related reports of the Secretary-General pursuant to General Assembly resolutions 52/59 to 52/63.

14. With regard to agenda item 86, "Questions relating to information", the report of the Committee on Information had been issued as document A/53/21. The reports of the Secretary-General pursuant to General Assembly resolutions 52/70 B and 52/220 would be issued in October.

15. With regard to agenda item 84, "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories", the reports of the Secretary-General pursuant to General Assembly resolutions 52/64, 52/67 and 52/68 had been issued as documents A/53/259, A/53/260 and A/53/264. The Secretary-General's report pursuant to General Assembly resolution 52/65 would also be issued shortly. The note by the Secretary-General transmitting the Special Committee's report had been issued as document A/53/136 and the addenda to the report would be issued in late October or early November.

16. The Committee's programme of work and the timetable proposed in document A/C.4/53/L.1 had been prepared as a result of his consultations with the relevant delegations and the substantive units of the Secretariat and also took into account the availability of documentation and the number of meetings available to the Committee. He believed that the Committee would be able, without any difficulty, to complete its consideration of all the agenda items allocated to it by the General Assembly within the time-frame reflected in that document.

17. **Mr. Zahid** (Morocco) noted that most of the documents relating to decolonization had not yet been issued. He wondered how that could be reconciled with the six-week rule regarding the circulation of documents. Not enough time remained before 5 October, when the next meeting of the Committee was to be held. It was his understanding that there was a rule that the General Assembly could refuse to consider an item if the relevant documentation had not been issued.

18. **Mr. Zaki** (Egypt) noted that at previous sessions the agenda items corresponding to the current items 83 and 84 had been considered consecutively. He wondered why at the current session consideration of those items had been split up.

19. **Mr. Sattar** (Secretary of the Committee), replying to the question put by the representative of Egypt, said that consideration of the agenda items in question had been split up because of technical problems within the substantive units of the Secretariat responsible for the issues which fell under agenda items 83 and 84. As for the question raised by the representative of Morocco, the delay in the publication of documents was due to the fact that documents were not received in time from the units responsible for producing them. The Secretariat made every effort, but its resources were limited still further by the fact that it had to deal periodically with additional urgent reports.

20. **Mr. Zahid** (Morocco) said that, despite the United Nations reforms aimed at increasing its efficiency, there were still problems regarding the timely issue of documentation. He was not criticizing the Secretariat, since it was a matter of collective responsibility. It was absolutely essential for the Secretariat to have the proper resources to issue documents on time. The matter should probably be drawn to the attention of the General Assembly.

21. **The Chairman** said that he would shortly be meeting with the President of the General Assembly and would raise the issue with him then. With regard to the remarks made by the representative of Egypt, he acknowledged that he had not noticed that agenda items 83 and 84 had been split up in the programme of work, but asked the representative to agree that the two items could be considered at the times proposed.

22. **Mr. Zaki** (Egypt) said that his delegation had no problem with considering the agenda items in question either consecutively or separately. He wished, however, to know the nature of the technical problems mentioned by the Secretary.

23. **The Chairman** said that the problems were simply that the heads of the substantive units responsible for the issues in question would not be available at one time or another to attend the meetings of the Committee and participate in the consideration of the items.

24. **Mr. Mekdad** (Syrian Arab Republic) said that a decision on the issue should take account not only of the technical but also of the political factors, namely the desirability of considering the agenda items in question together.

25. **The Chairman** said that he would try to resolve the problem with the Secretariat. If he heard no objection, he would take it that the Committee approved the programme of work and the timetable contained in document A/C.4/53/L.1, subject to the points raised by the representatives of Morocco, Egypt and the Syrian Arab Republic and taking into account the provisional nature of the timetable.

26. *It was so decided.*

27. **The Chairman** said, in connection with agenda item 49, "Question of the Falkland Islands (Malvinas)", which would be considered by the General Assembly, that the Committee would hear bodies and individuals which had an interest in the question. The Committee would be informed if requests were received.

28. With regard to agenda item 82, "International cooperation in the peaceful uses of outer space", the Committee would, as at previous sessions, set up an open-ended working group, presided over by the representative of India, to prepare a draft resolution. He suggested that the Committee should establish the working group immediately so that it could begin its work without delay.

29. *It was so decided.*

30. **The Chairman** noted that by approving the programme of work and the timetable the Committee had decided to hold one general debate covering agenda items 18, 87, 88, 89 and 12, and 90. That decision would enable members of the Committee to speak on all the items or on any specific item at any given meeting.

31. At previous sessions the Committee had considered the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to military activities in Non-Self-Governing Territories in conjunction with the item on foreign economic interests. He took it that the Committee wished to follow the same procedure at the current session.

32. *It was so decided.*

The meeting rose at 11.20 a.m.

United Nations A/C.4/53/SR.3

General Assembly
Fifty-third session

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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 3rd meeting
Held at Headquarters, New York, on Monday, 5 October 1998, at 3 p.m.

Chairman: Mr. Macedo ..... (Mexico)

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Requests for hearings

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98-81438 (E)

The meeting was called to order at 3 p.m.

1. **The Chairman** expressed his sincere condolences to the Governments of countries which had recently been devastated by a hurricane and to families of the victims, and expressed the hope that the international community would provide them with prompt assistance.

Agenda item 18: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/53/23 (Parts II, V–IX); A/AC.109/2102–2104, 2106–2110, 2112–2118)

Agenda item 87: Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (A/53/23 (Part IV, chap. VIII), A/53/263)

Agenda item 88: Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories (A/53/23 (Part III))

Agenda item 89: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (A/53/3 (chap. VIII, sect. D), A/53/23 (Part IV, chap. VII), A/53/130 and Corr.1; A/AC.109/L.1880; E/1998/76)

Agenda item 12: Report of the Economic and Social Council

Agenda item 90: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (A/53/262 and Add.1)

2. **Mr. Mekdad** (Syrian Arab Republic), Rapporteur of the Special Committee, introduced the chapters of the report covering the Special Committee's work in 1998 under agenda items 18, 87, 88 and 89, as contained in document A/53/23 (Parts II–IX). Part I of the report would be considered directly in plenary meeting.

3. After reviewing the Special Committee's activities in 1998, he introduced the main proposals, recommendations and decisions, which were contained in various parts of document A/53/23. He addressed such questions as the elimination of the remaining manifestations of colonialism, the dispatch of visiting missions to the Non-Self-Governing Territories in order to facilitate the full, speedy and effective implementation of the Declaration, the widest possible dissemination of information on decolonization and the inalienable right of the peoples of the Territories to their natural resources and their right to establish and maintain control over the future development of those resources.

4. The Special Committee had also made recommendations on the presence of military bases and installations in the Non-Self-Governing Territories which could impede the exercise by the peoples of their right to self-determination. It had recommended that the General Assembly should urge the administering Powers not to involve those Territories in any offensive acts or interference conducted against other States, and should reiterate that the colonial and Non-Self-Governing Territories and areas adjacent thereto should not be used for nuclear testing, dumping of nuclear wastes or deployment of nuclear and other weapons of mass destruction.

5. The Special Committee had given particular attention to international assistance to the peoples of Non-Self-Governing Territories by the specialized agencies and the international institutions associated with the United Nations. It had emphasized in particular aid to the small island Territories and had recommended the strengthening of existing measures of support and the formulation of appropriate programmes of assistance in order to accelerate progress in the economic and social sectors. It had also reiterated the need for the administering Powers to continue to transmit information under Article 73 *e* of the Charter.

6. In accordance with its mandate, the Special Committee had continued to monitor the situation in each Territory. Parts V to IX of its report contained its recommendations to the General Assembly on individual Territories.

7. The Special Committee had welcomed the developments that had taken place in New Caledonia and the signing of the Nouméa Accord on 6 May 1998. It had made recommendations on 10 small island Territories in the Caribbean and the Pacific and had reaffirmed the responsibility of the administering Powers, especially with regard to the economic and social development of the Territories and measures to counter drug trafficking, money laundering and other offences. It had also made recommendations on developments in Tokelau and Guam. It had again noted with appreciation the exemplary cooperation of New Zealand with the Special Committee.

8. The active participation of representatives of territorial Governments and administering Powers in the regional seminars organized by the Special Committee had served to keep the Special Committee informed of developments in the Territories. It had taken note of the comments and observations of the representatives and had reflected them in many of its recommendations to the General Assembly.

9. As the end of the International Decade for the Eradication of Colonialism approached, the Special Committee and the United Nations must redouble their efforts to free the world of colonialism. The Special Committee intended to do its utmost to achieve that end. It would assess the effectiveness of its activities with a view to making any improvements it considered necessary.

10. Pursuant to suggestions, some of which had already been discussed informally, the Special Committee could establish a procedure to consult the administering Powers on the progress made in the implementation of the Declaration and obtain their agreement before sending visiting missions. It might also discuss aid to the Non-Self-Governing Territories, particularly in the context of sustainable development, in the course of joint meetings with the Economic and Social Council. It might further organize specialized meetings with parliamentarians on decolonization issues. It would be desirable to publish a work devoted to decolonization and a compendium of all the General Assembly resolutions on the subject, and to establish a home page on decolonization on the Internet. Articles on decolonization could be included in United Nations publications, special activities could be organized with the press and information kits could be prepared for dissemination in schools.

11. **Mr. Rodriguez Parilla** (Cuba), Acting Chairman of the Special Committee, said that, despite the undeniable progress made since the adoption of the Declaration, there was still a long way to go before colonialism was eliminated. Cuba was ready to do everything possible to help the Special Committee to attain its goal.

12. The Special Committee had on various occasions drawn the attention of the international community to the problems confronting the Non-Self-Governing Territories, many of which were small islands in the Caribbean and the Pacific with special needs in terms of socio-economic development and the protection of the environment. It was essential for the international community to assist the peoples of the Non-Self-Governing Territories to improve their living standards and to explore new ways of enabling them to choose freely their own destiny. In order to build their capacities in preparation for full self-government, the peoples of the Territories must be able to benefit from United Nations programmes in the economic and social fields, including those deriving from the plans of action of international conferences.

13. The Committee had continued its consultations with representatives of the Non-Self-Governing Territories and the administering Powers, whose cooperation was indispensable for the achievement of the goals stated in the 1960 Declaration. The Committee welcomed its collaboration with New Zealand and Portugal and, in 1998, for the first time with France.

14. It was essential for the Committee to be able to obtain first-hand information on the aspirations of peoples by conducting visiting missions. The regional seminars which had been organized had been extremely useful from that point of view, since they had enabled the Committee to acquaint itself with the thinking of the representatives of the Territories, administering Powers, non-governmental organizations and experts on specific problems in the Territories and to find out what role it believed the Special Committee and the United Nations should play in the process of decolonization, in particular with respect to assistance to colonial peoples.

15. The participants in the seminar held at Nadi (Fiji) in 1998 had emphasized, *inter alia*, the need to find practical solutions for the eradication of colonialism, through an independent mediator if necessary, so that the inalienable rights of the peoples of Non-Self-Governing Territories were protected, even in cases where such Territories had themselves decided to conclude a free association agreement with an independent State or to become part of one. It was that mediating role which the Special Committee and the United Nations should play as long as there were Non-Self-Governing Territories.

16. The Committee, which each year summarized its work in the reports it submitted to the General Assembly, had decided to carry out a new evaluation of its activities in order to improve its effectiveness in all areas where that was necessary. Such an evaluation was all the more important as the International Decade for the Eradication of Colonialism drew to a close.

17. He urged the members of the Fourth Committee to accept the recommendations the Special Committee was submitting to the General Assembly in order to put an end to all forms of colonialism.

18. **Ms. Smith** (United Kingdom of Great Britain and Northern Ireland) said that in her delegation's previous statements to the Fourth Committee, it had always emphasized the seriousness with which the United Kingdom viewed its responsibilities towards the remaining Non-Self-Governing Territories. The United Kingdom had always made it clear that the wishes of the peoples concerned, exercised in accordance with the other principles and rights set out in the Charter of the United Nations and other international treaties, were of paramount importance. The United Kingdom had always affirmed that it was prepared to consider any proposals

about their future put forward by the peoples of the Territories themselves.

19. The United Kingdom's relations with its dependent Territories were based on the principle of self-determination. That was also the position taken by the Special Committee, at least on paper. It was however regrettable that its perception of the concept of self-determination differed from that of the United Kingdom, and that it continued to apply that concept selectively. Although self-determination meant the freedom to choose one's own identity, identity was not synonymous with independence, and the Territories which had chosen to remain British had done so for a variety of good reasons, without coercion, and the peoples concerned had always had the opportunity to make their views known. Her delegation therefore called on the Special Committee to recognize those facts.

20. A little more than a year earlier, the incoming British Government had launched a major review of the United Kingdom's relationship to its remaining dependent Territories. It had examined in depth how to develop, strengthen and modernize that relationship, giving the maximum possible weight to the views of the Territories concerned and asking the democratically elected governments of the Territories whether they wished to see any fundamental changes in the Constitutional relationship. The Territories had unanimously expressed their wish to retain the link with the United Kingdom. It was hoped that the recommendations emanating from that review would be laid before the British Parliament in a White Paper by the end of 1998.

21. Some key changes had been implemented to update and improve the United Kingdom's dealings with its Non-Self-Governing Territories, and those changes symbolized the Government's commitment to new, strengthened relationships with those Territories. In June 1998, a new Overseas Territories Department had been formed in the Foreign and Commonwealth Office. For the first time, a Minister for the Overseas Territories had been appointed, and the designation of the Territories had been changed. They were to be referred to as United Kingdom Overseas Territories to better reflect the spirit of the new relationship between the United Kingdom and those Territories.

22. The Special Committee should be as open to change and ready to review its relationship with the Territories as the Government of the United Kingdom had been. It should be ready to recognize not only that the colonial era was over, but also that many of its ideas about the nature of life in the Territories were preconceived and outdated. Even the designation "Non-Self-Governing" was, in many cases, clearly inappropriate, as many of those Territories had already attained the high degree of democratic self-government which the Committee purported to seek for them. Furthermore, in fulfilment of its obligation under the Charter of the United Nations, the United Kingdom regularly submitted to the United Nations detailed information on developments in that respect.

23. In recent years the Special Committee had shown, through its amendments to certain resolutions recommended to the Fourth Committee, that it was open to efforts to better reflect the reality of contemporary relationships between administering Powers and Territories. Her delegation continued to welcome such flexibility, and hoped that trend would continue. It also welcomed the recent indication that the Committee would be prepared to take a fresh look at its work and future activities, in particular in relation to the administering Powers. She recalled that a year earlier the United Kingdom and the United States had expressed their position on some of those issues to the Special Committee.

24. In conclusion, she stressed that the establishment of a constructive relationship between the Special Committee and the administering Powers lay in dialogue based on mutual confidence, and hoped that that fact would be borne in mind when the Fourth Committee examined the various resolutions over the next few days.

25. **Mr. Baali** (Algeria) said that if there was an area in which the United Nations could take justified pride in having done the right thing by working for freedom, it was that of decolonization, since, with the upsurge of awareness brought about by the great liberation movement of the 1950s, the right of peoples to self-determination had become established as an inalienable universal right.

26. He cited the conditions under which the Declaration on the Granting of Independence to Colonial Countries and Peoples had been adopted, and said that the fact that so many countries formed part of the Organization was due not only to the tremendous sacrifices made by millions of women and men, but also, in part, to the untiring efforts of the Special Committee.

27. However, 17 Territories were still living under the yoke of colonialism. The administering Powers should be urged to make a commitment to fruitful and sincere cooperation with the Special Committee so that the peoples of those Territories could be put in a position to decide on their ultimate status.

28. The next session of the Special Committee, which would coincide with the end of the International Decade for the Eradication of Colonialism, could present an opportunity to review the work undertaken during the Decade and to define future action.

29. It was more important than ever for the international community to support the Special Committee and the General Assembly, which must remain the forum to which peoples under colonial domination turned in order to make their voices heard and to demand their freedom.

30. Turning to the question of Western Sahara, he said he was pleased that Mr. James Baker, the Personal Envoy of the Secretary-General of the United Nations, had succeeded in bringing the Kingdom of Morocco and Frente POLISARIO to an understanding concerning modalities for implementation of the Settlement Plan and the holding of a free, fair referendum on self-determination. A year after the signing of the Houston agreements, Algeria welcomed the progress towards implementation of the Settlement Plan and identification of those eligible to participate in the referendum.

31. However, serious problems remained. There was still a need for lasting consolidation of the progress made in the area of identification, which must be carried out in strict compliance with the Houston Agreement and the Settlement Plan. It was also necessary to ensure the timely implementation of the other provisions of the Plan, particularly those involving the registration and repatriation of refugees by the Office of the United Nations High Commissioner for Refugees, which had not yet been given access to the entire Western Sahara, and the deployment of the engineering and demining units, which had not begun until six months after the Security Council's authorization. Lastly, it was important to ensure that neither party violated any part of the Plan and that every precaution was taken to prevent further obstacles to implementation of the Settlement Plan from arising.

32. It was essential for the United Nations to conclude status-of-forces agreements (SOFA) with Morocco, Mauritania and Algeria in order to allow the United Nations Mission for the Referendum in Western Sahara (MINURSO) to carry out its mandate in an appropriate manner. Algeria would sign that agreement in the next few days.

33. Algeria, which, as a neighbour and an observer State, had always worked hard to promote a definitive solution to the question of Western Sahara, solemnly called on both parties to fulfil effectively the commitments which they had made. It would continue to offer its full support to the Secretary-General, his Personal Envoy and his Special Representative in their efforts to achieve full and fair implementation of the Settlement Plan.

34. His Government also wished to stress the General Assembly's responsibility with respect to the question of Western Sahara and seeing the settlement process through to the end. The Assembly must remain extremely alert and resolute in monitoring fulfilment of the obligations of both parties. It must lend its full moral authority in support of the actions of the Security Council and the Secretary-General so that the referendum on self-determination could be organized under United Nations auspices as quickly as possible.

35. Only the holding of a free, fair and impartial referendum that would give a voice to the people of the Western Sahara could put an end to that conflict, which had lasted too long, and provide the long-awaited impetus to the establishment of the unified, stable and prosperous Maghreb which was the hope of all the peoples of the region.

36. **Mr. Kittikhoun** (Lao People's Democratic Republic), speaking on behalf of the Association of South-East Asian Nations (ASEAN), said that the United Nations had had a number of important achievements since its inception. One which many considered to be a major triumph was the fact that a large number of countries had exercised their right to self-determination and had attained independence following the adoption in 1960 of the Declaration on the Granting of Independence to Colonial Countries and Peoples. However, the decolonization process had yet to be completed, and there were still a number of Non-Self-Governing Territories which had not had the opportunity to freely determine their future political status.

37. ASEAN wished to reaffirm its support for the principle of self-determination, the goal of which was the elimination of colonialism irrespective of the geographical location of the territories concerned or the size of their population. It also affirmed the legitimacy of all options for self-determination consistent with General Assembly resolutions 1514 (XV) and 1541 (XV), the latter of which set forth modalities for the implementation of decolonization and self-determination. In that regard, ASEAN considered it essential to create conditions which would allow the peoples of the remaining Non-Self-Governing Territories to freely exercise their sacred right to choose their own destiny.

38. ASEAN welcomed the fact that the Special Committee had opted for a practical and innovative approach to its work, and it would continue to support the Committee's effort to achieve decolonization. However, it was of the view that the decolonization process was not merely a set of political measures but must be accompanied by effective efforts in the field of social and economic development. First and foremost, it was the responsibility of the administering Powers, in consultation with the peoples of the Non-Self-Governing Territories, to facilitate programmes of political education in order to foster those peoples' awareness of their options for self-determination. They should also promote balanced

economic development so that those peoples could achieve a basic level of self-sufficiency. At the same time, the United Nations and its specialized agencies should expand their programmes of assistance to the Non-Self-Governing Territories and continue to give priority to the strengthening and diversification of their economies; the crucial role of education and development, including human-centred development, should also be taken into account. Lastly, in planning socio-economic activities, it was essential to take into account the needs and interests of the peoples concerned, whose environment and cultural heritage must be preserved.

39. ASEAN also wished to emphasize the importance of obtaining and disseminating information from the Non-Self-Governing Territories as called for in Article 73 *e* of the Charter. In that regard, the United Nations should explore various alternatives, including United Nations visiting missions, regional seminars and other options.

40. There had been positive developments in some Non-Self-Governing Territories during the past year, and ASEAN very much hoped that similar progress would be achieved elsewhere. Lastly, he reaffirmed the commitment of ASEAN to implementation of General Assembly resolution 46/181 on the International Decade for the Eradication of Colonialism, of which the goal, the achievement of a world free of colonialism, was, fortunately, within the international community's reach but which could be achieved only through a spirit of cooperation and compromise based on equity, mutual trust and mutual advantage.

41. **Mr. Tejeira** (Panama), speaking on behalf of the Rio Group, said that the decolonization process was not complete and that there were still 17 Non-Self-Governing Territories, most of them in the Pacific Ocean and the Caribbean.

42. Nevertheless, the States members of the Rio Group recognized that decolonization was an area in which the United Nations had achieved remarkable success and a goal to which the Group had committed itself unequivocally, a fact which had made it possible for over 80 of its current members to achieve independence. In particular, he welcomed the Special Committee's important contribution to the cause of decolonization and noted that the Special Committee had emphasized the need for the administering Powers to establish conditions which would allow the peoples of the Non-Self-Governing Territories to exercise their inalienable right to self-determination, freely and without interference of any kind, in accordance with General Assembly resolutions 1514 (XV) and 1541 (XV). Those States also welcomed the progress achieved in that regard by New Zealand and other administering Powers.

43. They also wished to mention the progress made in 1998 on the question of New Caledonia, and the cooperative spirit shown by France. It was their view that the Nouméa Accord, which had been freely negotiated by the parties, would ensure the transition while agreement was awaited on the final status of the Territory.

44. The States members of the Rio Group urged the administering Powers to again undertake to create the political, social, economic and cultural conditions that would allow Non-Self-Governing Territories to face the future with confidence. In that context, they recalled the note that the Acting Chairman of the Special Committee had addressed to the administering Powers, in which he had proposed that missions should be sent to certain Non-Self-Governing Territories, in accordance with the wishes expressed by the people of the Territories concerned.

45. The seminars were an invaluable source of information, especially as the administering Powers did not provide all the information due from them under the Charter of the United Nations. The participation of representatives of the Non-Self-Governing Territories, States Members of the United Nations and non-governmental organizations made it possible for the Special Committee to obtain first-hand information on the situation in the Territories concerned. In that regard, the States members of the Rio Group welcomed the successful seminar that had been held in Nadi, Fiji, in June 1998.

46. They further urged the administering Powers to take effective measures with a view to preserving and guaranteeing the inalienable right of the peoples of the Non-Self-Governing Territories to their natural resources and their right to establish and freely exercise control over the future development of those resources. They considered that nuclear and other weapons of mass destruction should under no conditions be deployed or stockpiled in the Territories and their adjacent areas.

47. The States members of the Rio Group welcomed the report of the Secretary-General of the United Nations on the question of East Timor and paid particular tribute to the efforts of the Special Representative of the Secretary-General. They noted with satisfaction that it might be possible to involve the population of East Timor more directly in the search for a solution, and that the Ministers for Foreign Affairs of Indonesia and Portugal had decided to establish interest sections in their respective capitals before the end of 1998.

48. They also welcomed the report of the Secretary-General dated 11 September 1998 (S/1998/849) on the situation concerning Western Sahara, which noted that significant progress had been made in the identification process. They

were convinced that the outstanding matters mentioned in the report could be rapidly resolved, and they wished to acknowledge and encourage the efforts made by the Secretary-General of the United Nations and his Personal Envoy with a view to finding a compromise which would make it possible, without further delay, to hold a just and impartial referendum on the self-determination of the people of Western Sahara, in accordance with the Settlement Plan accepted by both parties and the Houston agreements concluded in September 1997. They hoped that both parties to those agreements would cooperate fully in order to find a definitive solution to the problem of Western Sahara.

49. The States members of the Rio Group reaffirmed their conviction that the excellent bilateral relations between the Governments of the Argentine Republic and the United Kingdom would make it possible to find a peaceful and lasting solution to the dispute between the two countries over sovereignty of the Malvinas, Georgia and South Sandwich Islands, in accordance with the relevant resolutions of the General Assembly and the Special Committee.

50. Reaffirming their total commitment to the decolonization process, in accordance with the purposes and principles of the Charter of the United Nations, resolution 1514 (XV) and the other relevant General Assembly and Special Committee resolutions, and to the lofty objectives of the International Decade for the Eradication of Colonialism in all Territories, the States members of the Rio Group urged the General Assembly to provide the Special Committee with every support for the enormous task which it had still to complete.

51. **Mr. Shen Guofang** (China) said that one of the most important achievements of the United Nations had been the assistance it had provided to a number of colonies in casting off the yoke of colonial rule and achieving independence. The Declaration on the Granting of Independence to Colonial Countries and Peoples adopted in 1960 had greatly accelerated the pace of decolonization and changed the composition of the United Nations and the structure of inter-State relations.

52. At the same time, however, the decolonization process had not yet been completed, and there were still more than a dozen Non-Self-Governing Territories around the world. The United Nations would have to make even greater efforts in order to achieve its decolonization goals by the end of the century.

53. The Chinese Government and people had always supported the peoples of Non-Self-Governing Territories in their struggle for self-determination and independence. His delegation believed that the pertinent principles laid down in the Charter of the United Nations and the aforementioned Declaration were still of practical relevance. He noted that the Charter of the United Nations, the Declaration and the relevant General Assembly resolutions accorded the peoples of Non-Self-Governing Territories the inalienable right to self-determination. If that right was to be exercised, all the parties concerned, including the United Nations, the peoples of Non-Self-Governing Territories and the administering Powers, should pool their endeavours, and the administering Powers must cooperate even more closely with the United Nations and the peoples of the Territories which they administered.

54. The dissemination of information on decolonization and the regional seminars in which the representatives of Non-Self-Governing Territories participated were an effective means of gaining information about the will and the situation of the peoples of those Territories. His delegation was in favour of the United Nations sending more inspection teams to the Territories, and hoped that the administering Powers would cooperate fully with the United Nations, ensure that the peoples of the Territories fully understood their rights, continue to supply relevant data and accept the visit by inspection teams to the Territories under their administration.

55. Since the economies of Non-Self-Governing Territories tended to be more vulnerable than other economies, increased assistance should be given to those Territories in order to help them establish a sound economic base. The administering Powers were duty-bound to promote the socio-economic development of the Territories they administered and to help diversify their economies. The foreign interest groups working in those Territories should take full account of the interests and wishes of the local population and protect the natural and human resources of the Territories concerned. At the same time, the specialized agencies and the other institutions associated with the United Nations should continue to take all necessary measures to help improve the socio-economic life of the Territories.

56. In the past year the Special Committee, under the chairmanship of the Ambassador of Cuba, had demonstrated that it was working actively to complete the decolonization process. The progress made by Tokelau and New Caledonia in reaching agreement on relevant issues with their respective administering Powers marked an important step in the self-determination process. Furthermore, the Special Committee had adopted a separate resolution on the question of Guam, and the Acting Chairman had submitted to the members of the Special Committee a non-paper containing numerous proposals on strengthening the future work of the Committee.

57. Noting that the approach of the twenty-first century meant that the decolonization work of the United Nations was even more urgent, he said that the Chinese delegation was prepared to participate actively in those endeavours and to cooperate closely to that end with other members of the Committee.

58. **Mr. Guani** (Uruguay) said that he unreservedly supported the statement made by the Panamanian delegation on behalf of the member States of the Rio Group. However, he wished to make a number of further comments. His delegation was gravely concerned by the fact that 17 Territories were not yet self-governing.

59. With a view to updating the Plan of Action for the International Decade for the Eradication of Colonialism, his delegation proposed that the fullest possible evaluation of the progress achieved during the Decade should be made. The Committee should look ahead to the year 2000, which would mark the end of the Decade, so that the desired measures could be taken to realize the Decade's final objective, namely "the free exercise of the right to self-determination by the peoples of each and every remaining Non-Self-Governing Territory".

60. Recalling the progress achieved in connection with Tokelau and East Timor, he said that a mechanism should be established for evaluating the situation concerning implementation of the Plan of Action and for setting precise objectives as to how the United Nations would perform its decolonization function in the future, with a view to obtaining the cooperation of the administering Powers. In order to bring the parties closer together, the Committee should ensure that such mechanism was not regarded as having a mandate that was incompatible with the interests of those Powers, thus making it possible to define the framework of the decolonization activities to be undertaken by the United Nations in the new millennium.

61. His delegation welcomed the fact that New Zealand had, by its example, led the way for sending missions to the Territories.

62. Turning to the question of Western Sahara, he reiterated his delegation's satisfaction with the progress accomplished within the framework of the Houston agreements, which had permitted a rapprochement between the Moroccan Government and Frente POLISARIO. Those agreements constituted an appropriate framework for the formulation of a peace plan which would lead to the holding of an impartial, just and free referendum that would make it possible to find, once and for all, an equitable and democratic solution to the problem of decolonization. The General Assembly should guarantee the right of the people of Western Sahara to self-determination.

63. His delegation welcomed the fact that the Governments of Argentina and the United Kingdom were endeavouring to reach a satisfactory solution to the problem of the Malvinas.

64. **Mr. Melendez-Barahona** (El Salvador), speaking on behalf of Costa Rica, the Dominican Republic, Guatemala, Honduras, Nicaragua and Panama, hailed the successes which the United Nations had achieved in the field of decolonization since 1945. Many countries had attained independence or united freely with other independent States by exercising their right to self-determination and had become full Members of the United Nations. Palau, the last Trust Territory, had gained independence in 1994. It was nonetheless imperative that the peoples who had not yet acquired autonomy should be able to exercise their right to self-determination and independence.

65. He reaffirmed the relevance of Article 73 of Chapter XI (Declaration regarding Non-Self-Governing Territories) of the Charter, which stressed the principle that the interests of the inhabitants were paramount and stated the responsibilities of the administering Powers. He also emphasized the importance to the decolonization process of resolution 1514 (XV) and other relevant General Assembly resolutions, as well as the proclamation of the International Decade for the Eradication of Colonialism and the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations.

66. It was gratifying that the administering Powers had declared themselves willing to cooperate with the Special Committee, provide it with information on the situation of the Non-Self-Governing Territories and authorize it to send visiting missions that would enable it to be directly informed on the situation and aspirations of the inhabitants.

67. The countries on behalf of which he spoke were also pleased to note the progress which had resulted from the contacts between Indonesia and Portugal in East Timor.

68. They were pleased by the progress achieved, in conjunction with the two immediately concerned parties, in the implementation of the Settlement Plan regarding the question of Western Sahara and the identification of those eligible to take part in the referendum. They supported the efforts being made by the Secretary-General with a view to organizing a free, just and impartial referendum within the framework of which the people of Western Sahara could exercise their right to self-determination.

69. They were ready to support the claims of peoples who decided to exercise their sovereign right to self-determination and independence. As Member States, they felt obliged to fulfil the international responsibilities incumbent on them, in accordance with the provisions of the Charter and those of

international law, United Nations resolutions and the international instruments which they had signed. They welcomed the Secretary-General's decision, at the end of 1997, to maintain a decolonization programme in the Department of Political Affairs and to provide the Decolonization Unit with the resources needed to fulfil its mandate until the end of the International Decade for the Eradication of Colonialism.

70. The majority of Member States were ready to support the United Nations in achieving the objectives of the Decade and in enabling all the Non-Self-Governing Territories to exercise their right to self-determination by the end of the millennium.

71. Costa Rica, the Dominican Republic Guatemala, Honduras, Nicaragua, Panama and El Salvador reiterated their support of United Nations action for decolonization. At the time of the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights, the international community should take concrete measures to ensure that the non-self-governing peoples realized their aspirations and that the rights articulated in that instrument prevailed.

72. **Ms. Smith** (United Kingdom), speaking in exercise of the right of reply following the statements made by the representatives of Panama, Uruguay and El Salvador on the question of sovereignty over the Falkland Islands and other Territories of the South Atlantic, stated that the United Kingdom position on that question was well known and had been explained by the Permanent Representative of the United Kingdom when he had spoken in exercise of his right of reply to the Argentine Minister for Foreign Affairs in the plenary Assembly on 22 September 1998.

Requests for hearings

73. **The Chairman** informed delegations that he had received communications containing requests for hearings concerning Guam, the implementation of the Declaration, New Caledonia and Western Sahara, as well as communications from the Governor of Guam and the Chief Minister of Gibraltar, who wished to speak in connection with those Territories before the Committee. He suggested that, in accordance with the usual practice, the 11 communications should be circulated as Committee documents and considered at the next meeting.

74. **Mr. Snoussi** (Morocco) wished to know the names of the petitioners for Western Sahara.

75. **The Chairman** read out the names of the persons concerned, as well as the names of the organizations to which they belonged.

76. **Mr. Snoussi** (Morocco) wondered what link the petitioners in question, apart from those of Saharan origin, claimed that would qualify them to speak on Western Sahara, which was the only Territory for which the Committee accepted petitioners. His delegation wished to know whether any rules existed on the subject.

77. **The Chairman** said that he did not know what the link between the petitioners in question and the problem of Western Sahara was but that the petitioners would explain it. At the present stage, it was a matter of determining whether the communications should be circulated and not a matter of making decisions on the substance of the requests, which delegations would be able to do once they had familiarized themselves with them. In the absence of any objections, he would take it that the Committee agreed that the requests for hearings should be circulated with a view to their consideration at the next meeting.

78. *It was so decided.*

The meeting rose at 4.10 p.m.

United Nations A/C.4/53/SR.4

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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 4th meeting

Held at Headquarters, New York, on Wednesday, 7 October 1998, at 10 a.m.

Chairman: Mr. Macedo ..... (Mexico)

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98-81480 (E)

The meeting was called to order at 10.05 a.m.

Requests for hearings

1. **The Chairman** drew attention to documents A/C.4/53/2 and Add.1 to 3 containing requests for hearings concerning the question of Guam. He took it that the Committee wished to grant those requests.

2. *It was so decided.*

3. **The Chairman** informed the members of the Committee that a further request for a hearing, contained in document A/C.4/53/3, concerned the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples with regard to the United States Virgin Islands. He took it that the Committee wished to grant that request.

4. *It was so decided.*

5. **The Chairman** informed the members of the Committee that he had received five requests for hearings relating to the question of Western Sahara, contained in documents A/C.4/53/4 and Add.1 to 4.

6. **Mr. Zahid** (Morocco) said that, at the previous meeting, the Permanent Representative of Morocco had raised the question of petitioners in connection with the consideration of the question of Western Sahara. A decision had been taken to revert to that question after the requests for hearings had been issued as official documents. After considering all the requests for hearings of petitioners wishing to address the Committee on various questions on its agenda, his delegation had no objection to the first requests, relating to Guam and the United States Virgin Islands, since, to judge from the requests, the petitioners had a direct connection with those Territories.

7. With regard to the question of the southern province of Morocco known as "Western Sahara", there were five requests for hearings. Unfortunately, it must be noted that the "quasi-majority" of the petitioners on the question of Western Sahara were in no way connected with that Territory. In view of the current delicate situation, it was essential to avoid aggravating matters by statements which would not help at a time when calm and patience were particularly required so that Mr. Baker's mission of mediation would be successful. In that connection, it was difficult to understand why an academic at Brown University (in the United States), had been included among the petitioners. His delegation was prepared to hear any views, but it did not understand what value could be attached to the testimony of eminent persons and others or academics who had no connection whatsoever with the Territory. The same applied to the request for a hearing submitted by a member of the Canary Isles Parliament and Secretary of the Parliamentary Group of the Spanish State, Paz para el Pueblo Saharaui, since it was not altogether clear whether he would be speaking in his personal or his official capacity. There had already been an occasion the previous year when Mr. Lecoq, who had been supposed to be speaking on behalf of French elected officials had in fact, as it turned out, spoken in his personal capacity. In that connection, it was essential that the member of the Canary Isles Parliament should explain on what authority he would be speaking. That also applied to the member of the European Parliament; it was important to clarify on whose behalf he would be speaking, what his interest was and what connection he had with the Territory.

8. With regard to Mrs. Carmen Diaz, who represented the Asociaciones de Amistad con el Pueblo Saharaui del Estado español, it would also be helpful to clarify what connection she had with the Territory, what her interest was and whether the information she wished to present was current. Some thought should also be given as to whether there was any advantage in Mr. Boukhari making a statement before the members of the Fourth Committee since he had already spoken on the subject in the Special Committee on Decolonization. There was no need to repeat what had already been said. Moreover, the Special Committee on Decolonization had been established precisely to lighten the workload and to avoid duplication. It would be advisable to review the procedure; that would make it possible to avoid the repetition of statements by petitioners who had already had an opportunity to speak, not in plenary meetings of the Committee, but in other forums such as the Special Committee on Decolonization. His delegation would like clarification in order to be able to adopt decisions on requests for hearings in full knowledge of the facts.

9. **Mr. Baali** (Algeria) said that he had not wanted the question to be raised and thought that the explanations given at the meeting on Monday would have been sufficient. His delegation had heard the statement by the representative of Morocco with surprise and concern. With surprise, because there had been no indication that, after so many statements made by petitioners over the course of many years with a view to helping members of the Fourth Committee, through their testimony and experience, to gain a deeper understanding of the questions under consideration, the question would now be raised as to whether petitioners in general could be heard in the Committee. With concern, because for many years now the Committee's work had been characterized by calm and efforts to reach a consensus; the statement that had just been

made in some sense violated that harmony and caused his delegation to express deep regret in that connection.

10. The representative of Morocco had forgotten that the right to present petitions was guaranteed by Article 87 of the Charter of the United Nations, and was reaffirmed in rule 77 of the rules of procedure of the Trusteeship Council, which considered questions similar to those which were now before the Fourth Committee. According to that rule, petitions could be presented both by inhabitants of Trust Territories and by others; that answered the question raised by the representative of Morocco as to what connection the petitioners had with Western Sahara. In reality, what was important was not where a petitioner came from but what information he could present to the Committee. It should also be remembered that the hearing of petitioners in the Committee had been going on since the 1950s on the basis of General Assembly resolutions 652 of 20 December 1952 and 655 and 656 of 21 December 1952 and on the basis of other resolutions which provided that those who had important information on questions of decolonization should have an opportunity to speak in the Fourth Committee and/or the Special Committee on Decolonization. It was therefore a matter of deep regret that doubt was being cast on the right of petitioners to be heard in the Committee — a long-standing practice in the United Nations and an integral part of the work of the Fourth Committee — a right which had been recognized in the Charter.

11. **Mr. Zahid** (Morocco), responding to the statement by the representative of Algeria, said that all he had wanted to do was to obtain clarifications from the Secretariat regarding the issue that had been raised. His delegation was in no way seeking to undermine the consensus; on the contrary, it was doing everything it could to achieve it. Moreover, his delegation noted that before raising the issue it had emphasized the complexity and delicacy of the current situation, and that to avoid exacerbating it, it would be desirable to refrain from statements which might violate, in the representative of Algeria's words, "that harmony". Every effort must be made to create the necessary conditions for the success of Mr. Baker's mediating mission.

12. Morocco was not questioning the right to submit petitions, which was embodied in the Charter of the United Nations. However, the reference to the rules of procedure of the Trusteeship Council was out of place in that respect. Morocco recognized that right, but the testimony provided must facilitate the fruitful work of the Committee. It must be objective and realistic, rather than theoretical, and it was therefore important that petitioners should have a relationship to the Territory. With respect to the issue of Western Sahara, that was not the case. His delegation was not seeking to violate the harmony, but on the contrary, was making efforts to move ahead towards a final settlement of an issue relating to the territorial integrity of a country. His delegation hoped that the Secretariat would provide the necessary clarifications, which would make it possible to continue the work, since the issue was of vital significance to the country, in that it was a matter of its territorial integrity.

13. **The Chairman** said that the Secretariat was not the competent body to provide clarifications of what relationship petitioners bore to the Territory. That should be done in the first place by the petitioners themselves, members of the Committee, having the petitioners' statements, could determine for themselves what relationship they bore to the Territory and why they were showing an interest in it. On the other hand, the representative of Morocco had noted the complexity and delicacy of the current situation relating to the process of conducting a referendum in Western Sahara. Nevertheless, contrary to what the representative of Morocco had said, it was in the Committee's interests to hear various views which might prove useful for its work. Thus it was not the Secretariat, but the petitioners themselves, that should give the necessary explanations, and accordingly he requested the representative of Morocco not to insist on his objections to approving petitioners' requests for hearings.

14. **Mr. Zahid** (Morocco) said that while he agreed with the argument about the usefulness of being acquainted with various viewpoints, he nevertheless noted that the views of persons bearing no relationship to the Territory would scarcely facilitate progress in resolving the issues raised in the context of the peace process. It would be desirable for petitioners to give fuller justification and explanation of their requests for hearings in their letters, before speaking, since otherwise it was difficult to understand why they were interested in the issue and to what extent they could help the Committee in its work. Nevertheless, he accepted the Chairman's proposal.

15. **The Chairman** thanked the representative of Morocco for the flexibility and understanding he had shown, and said he was sure that he would be able to put any questions to the petitioners during their statements in the Committee. He informed the Committee that the next request for a hearing, contained in document A/C.4/53/5, related to New Caledonia, and said he took it that the Committee wished to approve it.

16. *It was so decided.*

Agenda item 18: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Territories not covered under other agenda items)

Hearing of petitioners

Question of Gibraltar

17. **The Chairman** said that in accordance with established procedure, and with the consent of members of the Committee, he proposed to give the floor to the Chief Minister of Gibraltar for a statement.

18. *It was so decided.*

19. *At the invitation of the Chairman, Mr. Caruana (Chief Minister of Gibraltar) took a place at the table.*

20. **Mr. Caruana** (Chief Minister of Gibraltar) said that his Government had three reasons for addressing the Committee: to reassert the right of the people of Gibraltar to self-determination, a right possessed by all Non-Self-Governing Territories, to rebut the arguments of Spain in its attempt to obtain sovereignty over Gibraltar against the will of its people, and to seek from the United Nations a clear acknowledgement of the applicability of the principle of self-determination as the only principle relevant to the decolonization of Gibraltar.

21. Spain argued that because it had a 300-year-old claim to the Territory, Gibraltar could be decolonized on the basis of the principle of territorial integrity, and that the people of Gibraltar did not have the right to self-determination. Its misconceived position was based on the idea that self-determination should not lead to violation of the territorial integrity of a State. That idea was not relevant to the question under discussion, in that Gibraltar had not been part of Spain for 294 years. Moreover, the International Court of Justice had rejected the concept of territorial retrocession in the process of decolonization. Under the terms of the Charter of the United Nations, the decolonization of a Territory could take place only on the basis of the principle of self-determination; that was the modern doctrine of the United Nations.

22. Most of the remaining Territories on the United Nations list of Non-Self-Governing Territories had some extraneous obstacle or other in the path of the exercise of their right to self-determination. The existence of such extraneous obstacles was usually explained by the policy of some country seeking to deny self-determination, but the Special Committee could not yield to such barriers, because it was precisely their existence which gave it an important role in protecting the rights of the Non-Self-Governing Territories. The people of Gibraltar therefore supported the Secretary-General's call for a redoubling of the effort by the international community to conclude the decolonization of the remaining Territories so that their peoples could be masters of their own destiny. In that respect, it was highly regrettable that the 1998 report of the Special Committee had altered the traditional language by eliminating the use of the word "self-determination". The phrase used in the previous year's report to the effect that the Committee would "pursue its efforts in seeking the best ways and means for the implementation of the Declaration in all Territories that have not yet exercised their right to self-determination" had disappeared.

23. In addressing the Fourth Committee the previous year, the representatives of Spain had said that Gibraltarians were not a colonial indigenous people. Those statements did not reflect the real situation since, in the past 1,287 years, Gibraltar had been Moorish for 727 years, Spanish for only 266 years and British for 294 years. It had therefore been British longer than Spanish. Gibraltar had been ceded by Spain to the United Kingdom in perpetuity under the Treaty of 1713, having been taken over by the United Kingdom in 1704. Over those 294 years, a population had established itself in Gibraltar and developed into a unique people with their own culture, characteristics and identity.

24. He wondered how long it would take to acquire the rights given to colonial peoples under the Charter of the United Nations. Other former colonial peoples had exercised the right to self-determination after a much shorter period of colonial rule, for example, the United States of America, Australia, Canada, New Zealand and all the Caribbean countries. All those countries had once been colonies, like Gibraltar. The people of Gibraltar were no less indigenous than the peoples who had exercised the right to self-determination in those and many other countries. He wondered what justification there was for Spain's argument that the colony of Gibraltar should be the only one in respect of which historical acts that had occurred 294 years earlier justified denying its inhabitants the right to self-determination. He invited representatives of the United Nations to visit Gibraltar and see for themselves that the statements by Spain were groundless.

25. Spain maintained the position that it continued to hold the inhabitants of Gibraltar in the highest regard and that the Spanish authorities had proven time and again that they were fully prepared to duly respect "the legitimate interests, status and special circumstances of the inhabitants of Gibraltar". It should be asked how the people of a colony could have legitimate interests, status and special circumstances, but not the right to self-determination, which the Secretary-General had described as a basic human right.

26. Having denied the people of Gibraltar their right to self-determination, Spain's Minister for Foreign Affairs, Mr. Matutes had, in December 1997, put forward proposals, to which he had referred in his statement to the General

Assembly in September 1998. Spain's proposals, in a nutshell, were that the United Kingdom and Spain should share sovereignty for a transitional and indeterminate period of time, after which Gibraltar would become fully Spanish as part of the Spanish State, enjoying an autonomous status greater (in the opinion of Spain) than the status which it currently enjoyed. Those proposals were not new. They had been repeatedly rejected by the people of Gibraltar. The people of Gibraltar were not Spanish and did not wish to be part of the Spanish State.

27. What Mr. Matutes had asserted was contrary to reality. The people of Gibraltar did not find his proposals generous and did not favour his ideas. When putting forward those proposals in December 1997, Mr. Matutes had recognized that Spain did not want a solution to the problem of the sovereignty dispute to be imposed on the people of Gibraltar. That had seemed to be acknowledgement that the principle of democratic consent was paramount. However, having declared himself in favour of that principle, Mr. Matutes did not accept the fact that the proposals were rejected by the people of Gibraltar. Consent must be free. It was, therefore, a little incongruous to continue to offer proposals that had already been rejected by the people of Gibraltar.

28. The proposals by Mr. Matutes had come with a warning that, if Gibraltar did not accept them, Spain would "tighten the screws". That amounted to a denial of the will of the people of Gibraltar and, therefore, of their right to self-determination. Indeed, only the past week the screws had in fact been tightened. The Spanish authorities had imposed lengthy delays for crossing the border between Gibraltar and Spain because Gibraltar had not agreed to allow Spanish fishermen to fish in the waters of Gibraltar using fishing methods prohibited under its nature conservation laws. The result had been queues of up to five hours to cross the border. Such behaviour was contrary to numerous United Nations resolutions and covenants, which prohibited the use of such tactics by large countries against small neighbours.

29. Every year the Fourth Committee recommended to the General Assembly a resolution, which it adopted as a consensus resolution, calling upon the administering Power, the United Kingdom, and Spain to take part in a bilateral process of dialogue with the object of reaching a definitive solution to the problem of Gibraltar. Such a recommendation did not address the fact that the issue was not the resolution of supposed bilateral differences between the administering Power and the third party territorial claimant. It was a question of the right of the people of Gibraltar to decide their own future in exercise of the right to self-determination, which could not be advanced in a bilateral dialogue between the United Kingdom and Spain. Only respect for Gibraltar's right to self-determination could bring about the decolonization of Gibraltar in accordance with the Charter of the United Nations, and that should be reflected in the Committee's recommendation to the General Assembly.

30. For many of the remaining Territories, independence might not be the most appropriate or favourable option for decolonization. The current options for decolonization had to be seen in the context of the trend towards decentralization and subsidiarity. The essence of decolonization was the transfer of effective political and administrative power to the people of the colony, which should be achieved by a free act of self-determination. Gibraltar had legitimate aspirations to achieve a full measure of self-government. The support of the United Nations in that regard would be enormously significant, but the agenda of the people of Gibraltar could not be held back pending a declaration by the United Nations on their status. Accordingly, the Gibraltar government was formulating proposals to the United Kingdom for further constitutional change. The aim was to achieve a relationship that maintained close political ties with the United Kingdom while producing the greatest possible degree of self-government. Those new arrangements would give rise to a non-colonial relationship, and their acceptance by the people of Gibraltar in a referendum would be a legitimate exercise of self-determination in accordance with the relevant General Assembly resolutions. The new constitutional arrangements would not, of course, settle the dispute with Spain. The Government of Gibraltar, therefore, wished to pursue, on a parallel but unconnected basis, a dialogue with Spain to improve relations and establish better communication on a large variety of issues that affected them both. The constitutional development, which involved Gibraltar and the administering Power, should not be an obstacle to better relations between Gibraltar and Spain. Blackmail was not worthy of a country with the democratic credentials and standing of modern Spain.

31. *Mr. Caruana withdrew.*

Question of Guam (A/C.4/53/2 and Add.1-3)

32. *At the invitation of the Chairman, Mr. Underwood (representative of Guam to the United States Congress) took a place at the petitioners' table.*

33. **Mr. Underwood** (representative of Guam to the United States Congress) called on the Committee to give favourable consideration to the stand-alone resolution on Guam and to include language recognizing the role of the Chamorro people in the decolonization of Guam. The Chamorro people had a history dating back more than 4,000 years. Their ancestry reflected a people that were seafarers and farmers. They were

autonomous and lived without war, disease or famine. They had a developing culture and a developed political and social system. The colonizers had come and gone, but the Chamorros had remained steadfast in their viability as an indigenous people.

34. Guam, like any other Non-Self-Governing Territory, had undoubtedly assimilated some customs and habits from the powers which had administered it. The ancient language of the Chamorro people had many Spanish influences. More recently, the majority of the youth spoke English perfectly, and their attire and habits reflected America's influence. However, the Chamorro culture had survived and the elders were still passing on the stories of their past identity.

35. After learning that the Fourth Committee would consider the possibility of a stand-alone resolution on Guam, he was gratified that the question of Guam in the United Nations was finally coming to fruition. He recalled, however, that each time the case of Guam had been presented, the United States had decided that its own domestic laws, its own interpretation of democracy and its own view of how to conduct elections superseded that process. That had been repeatedly stated by United States representatives whenever the cause of Chamorro self-determination was advanced in the United Nations by the representative of Guam. That position was disrespectful of indigenous rights and reflected a failure to understand the unique history of Guam. Under the Treaty of Paris, the United States Government had a responsibility to help advance the civil rights and the political status of the people of Guam. Its opposition was a direct violation of its obligation under the Treaty of Paris. Although there were cries from the United States Congress for self-determination for the East Timorese, the Basques, the Roma, the Kurds, the Bosnian Muslims, the Northern Irish Catholics, the tribes of Western Sahara and many other peoples, the United States representatives denied those very fundamental rights to fellow Americans, the Chamorro people.

36. The people of Guam participated fully in the processes of government. They had been able to vote for their local representatives since the 1950s, had chosen their governor since the early 1970s, and had voted for their representative to the United States Congress since the mid-1970s. In general, more than 70 per cent of the electorate participated in the elections.

37. The decolonization of Guam should no doubt include a role for the United States, but the process that had begun in the United Nations should not be dismissed. The people of Guam encouraged the dialogue to continue but they also needed concrete recognition that their democracy had matured, that their rights should be recognized and that decolonization should be brought to a closure for the indigenous people of Guam. He looked to the Fourth Committee to act with wisdom and justice in its decision on the stand-alone resolution on Guam, and hoped that it would include recognition of the right of the people of Guam to self-determination.

38. *Mr. Underwood withdrew.*

39. *At the invitation of the Chairman, Ms. Haggard (Mayor's Council of Guam) took a place at the petitioners' table.*

40. **Ms. Haggard** (Mayor's Council of Guam), welcoming the fact that the General Assembly was considering a stand-alone resolution on the question of Guam and that it referred to the Chamorro people, said that the administering Power had taken one third of the island and had flooded the island with immigrants who came to seek United States citizenship, dramatically affecting the system of education and the cost of living. A decade earlier the people of Guam had placed before the administering Power a proposal which would provide for increased local self-government. The proposal was called the Guam Commonwealth Act, and was the subject of seemingly endless discussions with the United States Government. After 10 years the people of Guam had seen no progress. The administering Power had rejected their proposal for a framework for decolonization and had rejected providing Guam with more autonomy in the meantime. The administering Power had rejected putting the brakes on the massive influx of immigrants seeking United States citizenship. It had rejected processes to return land which it did not actively use and had not cleaned up areas which had been noted for toxic and hazardous wastes for many years.

41. Representatives of the administering Power sought to pretend that Guam was just another part of the United States. But even under United States law, which was applied to the people of Guam without their consent, Guam was an "unincorporated territory", a possession of, but not a part of the United States. A colony by any other name was still a colony. Under the terms of the Charter of the United Nations, a colony was entitled to self-government. In particular, a colony which had been inscribed on the list of Non-Self-Governing Territories and whose people were actively seeking decolonization deserved the special attention of the Members of the Organization.

42. The core issues faced by the people of Guam were land use and immigration. The administering Power controlled how land in Guam was held and managed. It held on to the best areas of land in Guam, including the majority of all lands in and around the only port on the island. In addition to limiting the use of land, which was suited to local agriculture

or near-shore fisheries, the administering Power had polluted dozens of sites in Guam, including the dumping of carcinogenic chemicals in areas where they had infiltrated the island's potable water-table.

43. The issue of immigration was also critical for understanding the complex situation that had arisen on the island. In conditions of limited opportunities for development, the administering Power imposed virtually no restrictions on immigration. The number of people admitted to Guam in the past 10 years represented nearly 40 per cent of the island's 1990 census population. With respect to the education system, nearly 40 per cent of public-school students were not from Guam, and most of them would not remain on the island after finishing school. That meant that the tax dollars of long-term residents of Guam were being spent to educate the children of immigrants who would later emigrate to other places, usually in the United States. The process of immigration for the purpose of acquiring the status of a naturalized citizen of the administering Power had resulted in the long-term underdevelopment of the island's public-education system. The fact that the administering Power held one third of Guam's land directly affected the price of land and rents. The removal of one third of the land supply from a limited market inevitably raised the price of the remaining two thirds. Thus, that problem, together with the impact of immigration, led to an increase in the cost of property, rents and mortgages, which prevented a significant segment of the Chamorro population from becoming homeowners.

44. The cost of living was affected by other factors as well. The administering Power's laws required that all goods from the United States must be transported to Guam on United States ships. As a result of the high cost of such transport, the people of Guam were overcharged by some $50 million a year. In the 1980s, civilian traffic had represented 95 per cent of the activity of the island's harbour and had taken place on 15 per cent of the land surrounding the port; currently, the active use of the harbour by the United States armed forces was limited almost exclusively to training. The administering Power used other lands for the ostensible purpose of implementing programmes to protect endangered species. It was becoming increasingly obvious that the administering Power's unilateral control of such programmes was simply a means of keeping land which it did not actively use. On the small island of Guam, such practices had a real impact on the people's daily lives and on their opportunities for improving their situation.

45. *Ms. Haggard withdrew.*

46. *At the invitation of the Chairman, Mr. Rivera (Guam Commission on Decolonization) took a place at the petitioners' table.*

47. **Mr. Rivera** (Guam Commission on Decolonization) said that colonialism did not simply exist; colonial policies subverted the sovereign rights of a subject people. In Guam's case, the administering Power's policies were designed not only to attack the culture and language of the indigenous population and to control the island's limited resources, but also to make the colonized people of Guam — the Chamorro people — a minority in their own homeland. The administering Power had made no proposals to limit the number of migrants to Guam, nor had it made any effort to return lands to their original owners. The administering Power continued to implement mercenary shipping policies that resulted in significant expenses for every family on the island. In contravention of the provisions of the Convention on the Law of the Sea, the administering Power continued to lay claim to the island's ocean resources. Two elements of the administering Power's approach to Guam were very clear. First, the direct aim of its current practices was to prevent the colonized people from regaining political control over their territory and sovereignty over their resources. Second, the administering Power appeared to be willing to address the issue of Guam's self-government only in the context of its unilateral colonial control. Its legal view was that Guam belonged to the United States but was not a part of the United States. Even according to the United States' own legal standards, Guam was not part of that country. That situation was in sharp contrast to the situation in other Non-Self-Governing Territories, where the administering Powers had at least proposed integration as an alternative to unilateral colonial control, whereas Guam, under the laws of the United States, was only a piece of property. That could not be considered a purely "internal" matter under the jurisdiction of the administering Power. According to international norms, colonial peoples had a right to decolonization; clear limitations should be imposed on immigration into territories under colonial rule; the permanent appropriation of land and marine resources by administering Powers was contrary to the responsible role they were called upon to play; and the participation of Non-Self-Governing Territories in the activities of regional and international organizations was supposed to be encouraged. Thus, any attempt to portray issues concerning the relationship between Guam and the United States as an exclusively "internal matter" between the administering Power and Guam or as a product of the domestic policy of the United States was inconsistent with international principles and the legitimate rights of the people of a Non-Self-Governing Territory.

48. He was pleased to note that the draft resolution on the question of Guam (A/53/23 (Part VIII)) included a reference to the demographic situation on the island resulting from the administering Power's immigration policies. In response to the call by the people of Guam for limits on immigration, the administering Power had opened the floodgates, allowing over 40,000 new colonizers to come to Guam. That had increased Guam's population growth rate while significantly diminishing the social, economic, cultural and political institutions of the colonized people. For the regulation of such situations, the United Nations had adopted guiding principles, particularly the one contained in paragraph 8 of the annex to General Assembly resolution 35/118 of 11 December 1980.

49. The Government of Guam fully supported the island's decolonization in accordance with the provisions of international law. For the implementation of the process of achieving self-determination, the Guam legislature had established the Guam Commission on Decolonization. A plebiscite was to be held on Guam's post-colonial status, with the participation of eligible voters residing on the island. The plebiscite was scheduled for 12 December 1999. The registration of eligible Chamorro voters would be carried out by the Guam Election Commission in consultation with the Chamorro Registry Advisory Board. The establishment of a registry of eligible voters for the decolonization plebiscite was necessary in view of the administering Power's introduction of settlers and immigrants. The intent of the relevant law was to extend the right to vote only to the group of people whose territory had been colonized. Known as the Chamorro people, they were in fact the political group of people whose ancestors had settled on Guam at the time of the occupation of the island by the United States in 1898. The establishment of a separate registry of eligible voters was unfortunate, but had been made necessary by the previously described policies of the administering Power. It was very important to note that the outcome of the decolonization plebiscite would reflect the colonized people's views on a future status and that the vote itself would not result in decolonization. The Commission would keep the Special Committee and other United Nations organs informed of the progress achieved.

50. Noting with satisfaction that the Special Committee had decided by consensus to draft a separate resolution on Guam, he said that, when the draft resolution was considered, two points would merit attention: first, the issue of the right of the colonized Chamorro people to decolonize their homeland; and, second, the significance of a separate resolution on Guam. Since the Committee's consideration of the question of Guam at the previous year's session, the administering Power had attempted to present the issue of the realization of the right of the people of Guam to decolonization as some sort of racial problem. the administering Power had asserted that the proposal by the people of Guam with respect to decolonization was promoting ethnic and racial conflicts. It had declared that the realization of the right of the colonized people of Guam was somehow endangering the rights of the settlers and migrants, and that the issue was an internal matter for the United States Government. The administering Power was mistaken since the right of a colonized people was not an internal political question to be determined by any Member State. If racism and ethnic division existed in Guam, the root causes lay in the complete disregard by the administering Power of the rights of the colonized people. The second issue concerned the appropriateness of drafting a separate resolution on Guam. The situation in Guam was no different from that in Western Sahara, New Caledonia, Tokelau, East Timor and even Gibraltar and the Falkland Islands (Malvinas), which were considered separately. The separate resolution dealt with many development which warranted attention and reflected the attempts of Guam to establish a process for the island's decolonization. The resolution also served to remind the administering Power of the responsibilities which it had accepted under the Charter. The drafting of a separate resolution on the situation in Guam was preferable to the consideration of that question within the context of a consolidated resolution which did not reflect either the prevailing conditions in Guam or the responsibilities of the administering Power.

51. **Mr. Ovia** (Papua New Guinea) asked whether the resolution on Guam before the Committee was in the interests of the people of Guam, including their elected representatives, whether it would advance the process of decolonizing Guam, and whether it would lead to the initiation of a dialogue and consultations between Guam and the administering Power.

52. **Mr. Rivera** (Guam) said there was no doubt that the resolution enjoyed the firm support of the people of Guam and their elected representatives. His presence at the meeting, in his capacity as Vice-Chairman of the Guam Commission on Decolonization, bore witness to the support of the people of Guam for the decolonization process implemented by the United Nations. In its current form, the resolution faithfully reflected the situation in Guam, and it enjoyed broad support. It gave real impetus to the decolonization process in Guam and facilitated the work of the Guam Commission on Decolonization, which had been established in accordance with the laws of Guam with a view to conducting a plebiscite on the question of the political status of Guam. It was his sincere hope that the resolution would promote dialogue between the administering Power and the people of Guam. While their attempts to initiate a dialogue with the

administering Power had not yet borne fruit, the people of Guam were persevering with their efforts to establish contacts with the administering Power on all questions and initiatives. The reaction of the administering Power to Guam's initiatives was extremely important. He hoped that the resolution would also promote the establishment of a more effective dialogue with the administering Power.

53. *Mr. Rivera withdrew.*

54. *At the invitation of the Chairman, Ms. Cristobal (Personal representative of Senator Santos) took a place at the petitioners' table.*

55. **Ms. Cristobal** (Personal representative of Senator Santos), speaking as the personal representative of Senator Santos, a member of the Guam Commission on Self-Determination, said that the Chamorro people had been occupied and administered by the United States for the past 100 years. She welcomed the adoption by the Special Committee on 11 August 1998 of a resolution reaffirming that the question of Guam was a question of decolonization, which the Chamorro people had yet to achieve. The Guam Legislature had adopted two important laws in that connection. The first created a mechanism for the Chamorro people to register to vote on the question of self-determination. The establishment of the Chamorro Registry gave impetus to the long-drawn-out process of determining the final political status of the Chamorro people. The second law established the Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination. The Commission was planning its work in the light of the new date set for the political status plebiscite, which was to take place on 12 December 1999. The Commission's task was to determine, by means of a plebiscite on the question of political status, the wishes of the colonized Chamorro people regarding their future political relationship with the United States, and to transmit their wishes to the President and Congress of the United States and to the Secretary-General of the United Nations. The law also noted that, by approving the draft Guam Commonwealth Act as an interim political status, the entire population of Guam had recognized and supported the inalienable right of the colonized Chamorro people to decide the future political status of Guam through a true act of self-determination.

56. Since presenting their first petition in 1901, the Chamorro people had continually expressed resistance to their situation as a colonized people. The adoption of the two aforementioned laws testified to the determination of the people of Guam to fulfil their aspirations and achieve decolonization. However, while the Chamorro Government in Guam was moving forward, through its own initiative, on the path towards decolonization, there had been a lack of formal cooperation on the part of the administering Power with regard to the implementation of the United Nations Plan of Action for the Full Implementation of the Declaration on Decolonization or other relevant United Nations resolutions. The Chamorro people were tired of feeling rejected by the United States Government and tired of the administering Power's contemptuous disregard for its moral and legal responsibilities under the Charter of the United Nations and General Assembly resolutions 1514 (XV) and 1541 (XV). There were, moreover, no signs that the United States was attempting to fulfil its responsibilities with respect to the decolonization of Guam. It was a sad fact that, in its resolution of 1 April 1998, the United States House of Representatives had supported the holding of an internationally supervised referendum to determine the political status of East Timor; the United States Senate had acted along the same lines. On 9 November 1997, the United States Congress had adopted a similar resolution with respect to Western Sahara, in which it had expressed its support for the holding of a referendum on the question of self-determination for the people of Western Sahara. It was ironic that a State which considered itself an international champion of human rights saw fit to direct others towards civilized solutions, but was unable to deal with its own colonial legacy.

57. It was entirely unacceptable that the decolonization of Guam had to be initiated in Guam because the administering Power remained uncooperative. It would be deeply regrettable if the international standards with respect to the decolonization process, as set out in the Charter of the United Nations, were to be ignored, and if the administering Power was to be allowed to dictate the rights of the Chamorro people. It was true that the administering Power was helping and supporting the peoples of the Pacific region, assisting in the enhancement of their human rights and in their progress towards self-determination. The presence in the Committee of representatives of the Federated States of Micronesia, the Republic of Palau and the Republic of the Marshall Islands, three States freely associated with the United States, demonstrated that decolonization was attainable in the current era. The Special Committee should approve the draft resolution before it and continue to consider the question of Guam separately. She noted with satisfaction paragraph 1 of the draft resolution, which called upon the administering Power to cooperate with Guam's Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination in order to facilitate Guam's decolonization and to keep the Secretary-General informed of progress to that end.

58. *Ms. Cristobal withdrew.*

Question of the United States Virgin Islands
(A/C.4/53/3)

59. *At the invitation of the Chairman, Mr. Corbin (Government of the United States Virgin Islands) took a place at the petitioners' table.*

60. **Mr. Corbin** (Government of the United States Virgin Islands) said that the Government of the United States Virgin Islands accorded special attention to the consolidated resolution on the majority of the small island territories and the resolution on assistance to the Territories from the United Nations system. The consolidated resolution dealt with a number of important issues which bore heavily on the success of the development process in those Territories. Of particular significance was the recognition of the vulnerability to natural disasters of small island Non-Self-Governing Territories. The volcanic eruption on Montserrat, and the devastation and dislocation caused by Hurricane Georges in Puerto Rico, Antigua and Barbuda, Saint Kitts and Nevis, the Dominican Republic, Haiti and Cuba were illustrative of that vulnerability. The United States Virgin Islands supported the efforts of the international community to assist those countries not only with the reconstruction process, but also within the framework of international disaster mitigation programmes and activities.

61. The consolidated resolution also took note of the Pacific regional seminar held in Fiji in June 1998. Those annual regional seminars were of great importance since they were one of the activities envisaged in the Plan of Action for the International Decade for the Eradication of Colonialism. The conclusions and recommendations of the seminar focused attention on the unique conditions prevailing in individual Territories and also showed how the United Nations system could play a more proactive role in the decolonization process.

62. The consolidated resolution also referred to the issue of self-determination and to the importance of the entire range of options available to Territories. In that connection, he supported the view of the representative of the United Kingdom that independence was not the only legitimate political option. He did not concur, however, with the conclusion that the Special Committee did not recognize that fact, particularly as far as the small island Territories were concerned. His Government continued to believe that various political alternatives should be recognized as legitimate, but only if those alternatives provided the minimum level of political equality necessary for the attainment of full self-government. The General Assembly had long recognized legitimate models of equality, which fell short of independence. They included the Netherlands Antilles and Aruba, in association with the Kingdom of the Netherlands, and the Cook Islands and Niue, in association with New Zealand.

63. The resolution on the implementation of the Declaration on decolonization by the specialized agencies and the international institutions associated with the United Nations was of particular interest. That resolution contained the mandate for the provision of assistance to the Non-Self-Governing Territories by the United Nations system. It also served as the legal basis for participation by those Territories in the work of the United Nations agencies and in such regional commissions as the Economic Commission for Latin America and the Caribbean (ECLAC) and the Economic and Social Commission for Asia and the Pacific (ESCAP). The resolution had also proved very useful with respect to the extension of observer status to many of those Territories at United Nations world conferences on the environment, population, the sustainable development of small island States, social development, the status of women, natural disasters and human settlements.

64. He reiterated the view expressed by the peoples of the Territories themselves at various regional seminars that the process of achieving full self-government had not yet been completed, particularly in the small island Territories, although it had entered a new and more complex phase. The role of the United Nations in monitoring that process was more important now than ever before, particularly in view of the ongoing bilateral talks, proposals and other developments affecting a number of the Territories.

65. It was important to underline that, while talks on changes in some of those Territories were under way, it should not be assumed that the changes would necessarily result in full self-government and equality. There was now a need to ensure that the decolonization process did not expire through the redefinition of such arrangements as self-government, without the peoples of the Territories themselves having achieved full political equality within whatever political arrangement they might freely choose.

66. **Mr. Mekdad** (Syrian Arab Republic) said that he had listened attentively to the detailed statement by Mr. Corbin, which contained valuable historical information. He asked what Mr. Corbin thought the Special Committee might do to accelerate the decolonization process, and what suggestions he might make to the Special Committee concerning the resolution of the problems which would arise during the current phase of the process.

67. **Mr. Corbin** (Government of the United States Virgin Islands), replying to the question on the Special Committee's future role, said that there were a number of elements which

might be facilitated if the Special Committee took a more proactive role. They might include, in particular, the implementation of additional aspects of the Plan of Action for the International Decade for the Eradication of Colonialism, which had been adopted by the General Assembly, provided that specific information was made available with respect to individual Territories and also the development process in those Territories. In that connection, the Special Committee could carry out constant monitoring of all those events since, if they developed as many hoped they would, they would result in full political equality on the basis of the relevant General Assembly resolutions.

68. **Mr. Ovia** (Papua New Guinea) asked Mr. Corbin what role he thought the Special Political and Decolonization Committee should play in the event of a people of a Non-Self-Governing Territory taking a decision not about attaining independence but about integration or obtaining some other status.

69. **Mr. Corbin** (Government of the United States Virgin Islands) said that when Territories achieved integration or free association in the real sense of those terms, those relationships were submitted to the Committee for consideration. That had been done for a number of years when Territories were removed from the United Nations list of Non-Self-Governing Territories. The decisions about removing the majority of Territories from the list had been taken on the basis of General Assembly resolutions, but only after detailed review of the status achieved. In the present case, the point had again been reached of defining a status of full integration with guaranteed full political rights, including full participation in the political process. As for free association status, there were also in the present case very clear and precise definitions. At the present meeting, one representative had said that what the status was called was of no significance. He fully shared that view: it was unimportant what any given political status was called; what was important was which elements made up that status. And if they passed the test for genuine political equality, a resolution was submitted on the removal of the Territory from the list of Non-Self-Governing Territories. However, it had to be underlined that it was done on the basis of the very clear and firm criteria of the General Assembly.

70. *Mr. Corbin withdrew.*

Question of New Caledonia (A/C.4/53/5)

71. *At the invitation of the Chairman, Mr. Wamytan (Front de Libération National Kanak Socialiste (FLNKS)) took a place at the petitioners' table.*

72. **Mr. Wamytan** (Front de Libération National Kanak Socialiste (FLNKS)) said that each time his people had embarked upon the struggle to secure its lost freedom, it had been subjected to repression of various kinds, which had redoubled with the implementation of a deliberate immigration policy. The struggle had lasted until 1988, when the Government of France, the Rassemblement pour la Calédonie dans la République (RPCR) and the Front de Libération National Kanak Socialiste (FLNKS) signed the Matignon Accords. Under those Accords, the FLNKS had entered a reservation regarding the entitlement to vote on the question of self-determination in 1998. It was evident that as a result of the settlement policy carried out by successive Governments of France since the 1970s, the Kanak people found themselves to be in a minority on the electoral list. Despite continuous appeals by the FLNKS for France to implement the United Nations resolution on the question of immigration in Trust Territories, an additional 20,000 people had arrived in New Caledonia between 1988 and 1997.

73. In view of that fact, it was logical to arrive at the conclusion that holding a referendum in 1998 on the question of self-determination would merely lead to a new increase in tension and a socio-political explosion. Accordingly, the FLNKS and its two partners in the talks had decided to discuss what possibilities there were for finding a way out of the situation which had arisen in 1998. The FLNKS had elaborated a framework project for the creation of a State in association with France which was the only constitutional possibility of taking into account at one and the same time the lawful nature of the interests of the Kanak people and its inalienable right to independence and the lawfulness of the interests of the other communities which had become "the victims of history". The talks had resulted in the Noumea Accords, the preamble to which contained five basic points. First, the Act of 24 September 1853 taking possession of the country of the Kanaks and subsequent treaties with clan leaders were in fact unilateral instruments. Secondly, the colonization of New Caledonia had occurred as part of a broad historical movement of European domination over the rest of the world and the gradual introduction of a new population linked to the spread of Christianity. Thirdly, the fact of colonialism was recognized, along with the serious harm done to the Kanak people as a result of the destruction of its culture and identity and its effective relegation to the fringes. Fourthly, decolonization as the means of rebuilding lasting bonds between the communities by enabling the Kanak people to establish new relations with France. Fifthly, the basic elements of the proposed solution included: (i) full recognition of the identity of the Kanak people and revival of their culture as being of primary rather than secondary

significance; (ii) the establishment of new institutions with their own identity signs such as the name of the State, flag, anthem and motto; (iii) restoration of citizenship as the criterion for taking part in the elections, defending the interests of the local work force and restricting in immigration flows; (iv) a gradual sharing of responsibilities which would signify shared sovereignty; (v) the duty of the State to contribute to that process in terms of providing technical assistance, training and the funding for long-term programmes; and (vi) consultations on the outcome of the process beginning in the year 2014 which would also deal with transfer at the final stage by the State of its responsibilities in the areas of justice, defence, security, law and order and currency (including credit and exchange). The opportunity those agreements provided for preparing New Caledonia for the attainment of independence was one that was not to be missed. In that connection, it was envisaged that progress towards the attainment of freedom must be with the apprisal of the United Nations.

74. The process laid down in the Noumea Accords went beyond the year 2000, which was to be the final year of the International Decade for the Eradication of Colonialism. It was important for the United Nations to continue its efforts to secure the decolonization process in New Caledonia initiated by the Matignon Accords within the framework of the Noumea Accords which established the conditions in which New Caledonia, under the aegis of the United Nations, could gradually attain full sovereignty. The United Nations must be vigilant in monitoring implementation of the Noumea Accords, while at the same time France must meet its obligations to implement those Accords, specifically, and particularly strictly, with regard to the irreversibility of the process, the establishment of technical and financial measures, the transfer to New Caledonia of economic mechanisms currently controlled by France, taking effective steps to curb immigration flows and, lastly, the provision of mechanisms for disengaging from the process. In that respect it would be desirable if France were to provide the Secretary-General of the United Nations on an annual basis with all information relating to the political, economic and social situation in New Caledonia, and if in the final analysis, France were to permit the United Nations to send a mission to New Caledonia, in connection with the implementation of the Noumea Accords, in the middle of 1999. He was confident that in spite of the current difficulties, New Caledonia would confirm the Accords on the basis of the results of the referendum on their ratification which was due to be held on 8 November 1998.

75. *Mr. Wamytan withdrew.*

Organization of work

76. **The Chairman** said that in order to complete its programme and work schedule and to conclude its discussion of the agenda items on decolonization, the Committee would take decisions on draft resolutions and decisions submitted on those agenda items on Tuesday, 13 October. Any proposals or amendments to draft decisions or resolutions on agenda items relating to decolonization should be submitted by 5 p.m. on Friday, 9 October.

77. *It was so decided.*

The meeting rose at 12.55 p.m.

United Nations A/C.4/53/SR.5

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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 5th meeting
Held at Headquarters, New York, on Friday, 9 October 1998, at 10 a.m.

Chairman: Mr. Macedo ..... (Mexico)

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98-81522 (E)

The meeting was called to order at 10.10 a.m.

Election of officers

1. **The Chairman** said that the Group of Western European and Other States had nominated Mr. Çarikçi (Turkey) for the office of Vice-Chairman of the Committee. In view of the absence of other nominations and in accordance with rule 103 of the rules of procedure of the General Assembly and established practice, if there were no objections he would take it that the Committee wished to elect Mr. Çarikçi (Turkey) to the office of Vice-Chairman of the Committee.

2. *Mr. Çarikçi (Turkey) was elected Vice-Chairman by acclamation.*

3. **Mr. Çarikçi** (Turkey) expressed appreciation for the confidence placed in him, and said that he hoped to work in close cooperation with the Committee.

Agenda item 18: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Territories not covered under other agenda items) (*continued*)

Hearing of petitioners

Question of Western Sahara (A/C.4/53/4 and Add.1)

4. *At the invitation of the Chairman, Mr. Bhatia (Brown University) took a place at the petitioners' table.*

5. **Mr. Bhatia** (Brown University) said that approximately one year previously there had been a decidedly different aura surrounding the peace process in Western Sahara. The Secretary-General's personal envoy, Mr. James Baker, former Secretary of State of the United States of America, had concluded that the solution to the question of Western Sahara still lay in a free and fair referendum, which corresponded to the wishes of the parties. The first direct negotiations to reach agreement on the disputed elements of the implementation plan had been held in Lisbon, London and Houston. Both parties had agreed not to present any member of the contested tribes to the identification commission, apart from those who had been registered on the 1974 census. The United Nations Mission for the Referendum in Western Sahara (MINURSO) had been deployed in 1991 without the formal acceptance of both parties to a peace agreement, which had affected its possibilities of fulfilling its mandate. Weaknesses had remained in the mandate and force structure of MINURSO and the timetable for its activities. The deployment of 2,800 civilian and military personnel was inadequate for an operation mandated to supervise the governance of a Territory and the demobilization and cantonment of approximately 200,000 troops. Moreover, MINURSO was facing the problem of unrealistic timelines for carrying out its activities dictated by political considerations rather than the actual situation on the ground. For example, Moroccan forces were to be reduced from nearly 120,000 to 65,000 in only three months. Although it was possible that the mandate of MINURSO would be renewed following the referendum, MINURSO was scheduled to withdraw completely one month later in the midst of a potentially violent political environment. Small obstructions betrayed the larger dysfunction. Diplomats and foreign correspondents were once again being banned from MINURSO flights to Laayoune; the armaments and communications equipment for the Pakistani and Swedish demining contingents were being withheld by the Moroccan Government, and accusations of disappearances had escalated throughout the summer. In the end, on 7 June, D-Day, the beginning of the transition period had simply not been announced. In order to put the peace process back on track, high-level direct negotiations must be resumed, and were planned for late October in Lisbon.

6. The referendum was viewed by States as the sole exit strategy. The continued paralysis of the identification process handicapped the development of the capacities and institutions required for the safe return of Saharan refugees. So far, the United Nations-sponsored presence within the Territory had played into the hands of the Moroccan authorities. The United Nations-monitored ceasefire had enabled the Moroccan authorities to consolidate their presence and begin to alter the demographic character of the Territory. That activity had continued during the identification process, which had altered the nature of the referendum both in terms of its participants, and in terms of how it would be conducted. The conditions within the Moroccan-controlled western portion of the Territory necessitated a cautious response to the repatriation programme sponsored by the Office of the United Nations High Commissioner for Refugees (UNHCR). There was a massive Moroccan security presence within the Territory, and neither MINURSO, nor UNHCR, had freedom of movement. The sole representatives of the international community within the Territory were the monitors of the Organization of African Unity (OAU). Although international non-governmental organizations and press bodies had sent delegations to the Territory, they had not been able to develop the consistent presence necessary to ensure the transparency of the referendum process or the

security of the refugees. UNHCR not only had to provide for the transportation and maintenance of the refugees, but also had to ensure their safety and establish reintegration and rehabilitation programmes after the referendum.

7. MINURSO and UNHCR must immediately be granted complete freedom of access to and movement in the Territory. During the transitional period, the United Nations would assume a more active role in the governance of the Territory and the creation of the conditions necessary for the safe return of refugees. Over the past decade, the human rights monitoring capabilities of the United Nations and various regional bodies such as the Organization for Security and Cooperation in Europe (OSCE) had developed rapidly. The conditions within the Territory and the mandate of UNHCR, which was exclusively to monitor the return process, required the incorporation of those additional actors.

8. **Mr. Zahid** (Morocco) said that, as expected, the statement by the first petitioner on the question of Western Sahara had confirmed misgivings that the petitioner had no connection with the Territory. The statement had consisted of indiscriminate criticism of all aspects of the process, the settlement plan, MINURSO, and also a false interpretation of the Houston agreements. He wondered whether the petitioner had read paragraph 1 of the compromise agreement on outstanding identification issues. The petitioner had said that the parties had agreed that they would not present for identification anyone from tribal groupings H41, H61, or J51/52 other than persons included in the Spanish census of 1974, but had stopped there. That amounted to an incorrect interpretation of the text of the agreement, since it went on to say that the parties should not be obligated to actively prevent individuals from such tribal groupings from presenting themselves for identification. The reality was that persons in that category were presenting themselves for identification, which was confirmed by the reports of the Secretary-General which indicated that about 65,000 people had done so.

9. The question arose as to why the petitioner had not included those facts in his statement. He had also cast doubt on Morocco's willingness to ensure that the registration process was carried out. Morocco was one of the first States to have recognized the right to voluntary repatriation. It was incomprehensible that a State could be reproached for trying to ensure law and order. The presence of security forces to ensure the maintenance of order was provided for in the code of conduct for the referendum campaign in Western Sahara, as were questions of freedom of movement. However, judging by the statement, one had the impression that the settlement plan needed to be reviewed and everything needed to be started from the beginning.

10. Such statements in no way contributed to the work of the Committee, and Morocco's position therefore remained unchanged: petitioners who had no connection with a Territory should not be given permission to speak in the Committee.

11. **Mr. Bhatia** (Brown University) said that the key element which linked him and the other petitioners with the Territory was the need to ensure openness. That meant that, in order to ensure observance by both sides of the provisions of the Houston agreements it was necessary to involve persons from outside the Territory who had visited it, who were studying the question or who were interested in it. In other respects the arguments of the representative of Morocco were mainly rhetorical in nature and had not refuted what had been said.

12. **Mr. Zahid** (Morocco) said he had asked why the petitioner had confined himself to paragraph 1 of section I (Compromise agreement on outstanding identification issues), which stated that "the parties agree that they will not directly or indirectly sponsor or present for identification anyone from tribal groupings H41, H61 and J51/52 other than persons included in the Spanish census of 1974", and had declined to quote the next part of the paragraph which stated that "identification of any such individuals who may present themselves shall proceed as soon as possible". That was the substance of his question, which was anything but rhetorical. At the least, the petitioner might answer that question, as well as the question about the presence of non-governmental organizations which, as was well known, was governed by the code of conduct and settlement plan. It was incomprehensible that permission could be given for the presence of non-governmental organizations prior to the completion of the identification process. The questions he had raised were thus of an extremely specific nature.

13. **Mr. Bhatia** (Brown University) said he had pointed to the fact that persons included in the Spanish census of 1974 could present themselves for identification. The question was, however, whether such persons presenting themselves for identification were sponsored by the Government.

14. *Mr. Bhatia (Brown University) withdrew.*

15. *At the invitation of the Chairman, Mr. Ahmed (Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO) took a place at the petitioners' table.*

16. **Mr. Ahmed** (Frente POLISARIO) said that, thanks to the Houston agreements, it had been possible to solve the major problems which had been impeding the implementation of the joint peace plan of the United Nations and the Organization of African Unity. One of the problems had been that of identifying potential voters. Since the establishment of the Identification Commission for the referendum in Western Sahara, a total of 180,000 applicants had been convoked. Of those 147,000 had appeared for interview. It was common knowledge that in the original peace plan, it had been established that the electoral body would be determined on the basis of an updated 1974 Spanish census. However, Morocco had imposed on the United Nations a "retroactive" approach to solving that problem, which allowed the process to encompass Moroccan populations of allegedly Saharaoui origin. Of the 180,000 applications sent by persons convoked by the Identification Commission — a figure which represented an increase of more than 125 per cent of the Spanish census — more than 100,000 had been sent from Morocco. However, in the interests of cooperating with the United Nations, the Frente POLISARIO had accepted all those applications for the purposes of identification. According to the Houston agreements, that process had been concluded once the Identification Commission had convoked 117,000 applicants. Yet Morocco was demanding that the United Nations Mission for the Referendum in Western Sahara (MINURSO) should convoke another 65,000 Moroccan citizens belonging to the tribal groupings classified by the census as H41 and H61. That position was in violation of the provisions of the Houston agreements. Contrary to their obligations regarding cooperation, the Moroccan authorities had been creating innumerable difficulties and obstructions in other essential areas of activity which were absolutely unrelated to the identification process. The Secretary-General had expressed his concern about those problems in his report (S/1998/316). In addition, he had stated in that report that it was important that the United Nations demining activities should start as soon as possible. However, in subsequent reports, the Secretary-General had referred to problems that had arisen in that connection, stating specifically that, in spite of the progress made, the operational capabilities of the military units remained constrained, as their communication equipment had yet to be released by the Moroccan authorities from Laayoune airport. He had also stated that, despite assurances from the Moroccan authorities, the Mission continued to be confronted with bureaucratic and procedural problems in customs clearance of much needed items and equipment.

17. As members of the Committee were aware, the signature of the status-of-forces agreements was of the utmost importance. The United Nations Secretariat had submitted to the Moroccan authorities a draft agreement which was to be approved by 30 April 1998. However, no response had been received from Morocco until August, and the Secretary-General had expressed the hope that an agreement might be concluded, noting that, while he welcomed the agreement of the Moroccan authorities to formalize the presence of the Office of the United Nations High Commissioner for Refugees (UNHCR), he remained concerned that they had yet to take concrete action to enable UNHCR to carry out the necessary preparatory work for the repatriation of Saharan refugees eligible to vote and their immediate families. It was clear from those reports that there were still serious problems on the way to the holding of the referendum. The Frente POLISARIO had fulfilled its obligations under the Houston agreements. The obstructions to the referendum process undermined the authority of the United Nations and were not in line with the promises of cooperation given to the Committee by the Moroccan representative during the previous session.

18. *Mr. Ahmed (Frente POLISARIO) withdrew.*

Agenda item 18: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Territories not covered under other agenda items) (*continued*) (A/53/23 (parts II, V–VIII); A/AC.109/2102–2104, A/AC.109/2106–2110, and A/AC.109/2112–2118)

Agenda item 87: Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (*continued*) (A/53/23 (part IV, chap. VIII) and A/53/263)

Agenda item 88: Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories (*continued*) (A/52/23 (part III))

Agenda item 89: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (*continued*) (A/53/3* (chap. VIII, sect. D), A/53/23 (part IV, chap. VII) and A/53/130 and Corr.1; A/AC.109/L.1880; E/1998/176)

Agenda item 12: Report of the Economic And Social Council (*continued*) (A/53/3*)

* To be issued later.

Agenda item 90: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (*continued*) (A/53/262 and Add.1)

19. **Mr. Bune** (Fiji) said that the international community would be unable to carry out the task that was before it of eradicating all forms of colonialism by the year 2000; to achieve that goal it would have to devise new approaches to resolving the problem. The principal reason for the lack of success was the lack of any willingness to cooperate and the lack of full support on the part of the administering Powers. He noted the willingness of the administering Powers to participate in an informal dialogue with the Special Committee. At the same time, he pointed out that such an informal dialogue had essentially been one of the means used by those Powers to dilute or amend the provisions contained in General Assembly resolutions. His delegation called on the Committee formally to invite the administering Powers to resume their membership in the Special Committee in order to provide an opportunity, jointly and collaboratively, to work towards the resolution of the political future of the remaining 17 Non-Self-Governing Territories. The resolution of that question required that the peoples of the Non-Self-Governing Territories should be given the opportunity freely and voluntarily to express their choice. With its mandate nearing its end, the Special Committee should establish priorities in its programme of work. The top priority in that programme should be to obtain the free and voluntary choice of the peoples of those Territories regarding their political future. The Committee should seriously consider and decide on the holding of referendums in each of the Non-Self-Governing Territories so that, on the basis of the mandates received from the peoples, negotiations could be held with the administering Powers to give expression to the will of the people.

20. The administering Powers must address with greater urgency programmes to promote economic, social and human development in the Territories. It was important that the institutional capacity of the Territories should be strengthened so as to lay the foundation for the exercise of self-determination. There was a need to consult fully with the peoples of the Territories on all plans and programmes for their development so that they were able to derive the benefits from the utilization of their natural resources. Particular attention should be paid to the guaranteeing, protection and enhancement of the fundamental rights of the indigenous peoples in those Territories, respect for their traditions, customs and culture, and the guaranteeing and protection of their rights to their ancestral lands and land tenure.

21. His delegation welcomed the agreements reached on Western Sahara, New Caledonia, East Timor and Tokelau and noted that the dialogue on the question of Gibraltar and the Falkland Islands was ongoing. In connection with the statement made by the representative of the United Kingdom to the Committee on 5 October, his delegation would like to recommend to that Government that, in addition to new initiatives, it should conduct in each of its Territories an independent referendum through which the people could freely express their wishes regarding their political future.

22. **Mr. Mapuranga** (Zimbabwe) urged the administering Powers to cooperate with, and participate in the work of, the Special Committee on decolonization and to consult with the peoples of the Non-Self-Governing Territories to facilitate programmes of political education in order to foster an awareness of the possibilities open to the people in the exercise of their right to self-determination. At the same time, the United Nations should continue to promote the economic development of those Territories.

23. Western Sahara remained one of the unfinished items on the decolonization agenda. Seven years after the adoption of the United Nations settlement plan for the Territory, the Saharan people had yet to express their views in the referendum provided for in the plan. The recent Houston agreements brokered by the Personal Envoy of the Secretary-General, Mr. James Baker III, had put the process, which had been gradually sidelined, back on track. His delegation believed that the settlement plan remained the best option for achieving a long-lasting solution in the interests of both parties and for the sake of peace and security in the region, and urged the parties to engage in direct talks in order to resolve all outstanding issues and thus give the people of Western Sahara the opportunity to exercise their democratic right to determine their destiny through the referendum stipulated in the settlement plan.

24. **Mr. Dausá Céspedes** (Cuba) said that his delegation would like to dwell briefly on some decolonization issues that remained outstanding. That was of even greater importance as the end of the International Decade for the Eradication of Colonialism approached and in view of the need to develop a plan of action for the future. Despite repeated appeals by the Special Committee and the General Assembly, several of the administering Powers were still not transmitting the relevant updated information on the Territories under their control as stipulated in Article 73 *e* of the Charter of the United Nations. His delegation once again stressed that the transmission of such information was required of all administering Powers until such time as the General Assembly took a decision on the matter.

25. With regard to visiting missions, the cooperation of the administering Powers was by no means satisfactory. The dispatch of such missions to the territories enabled the Special Committee to gain first-hand information on local conditions and thus increase the ability of the United Nations to provide assistance to the peoples of those Territories.

26. The peoples of Non-Self-Governing Territories had the legal right to the use of their natural resources and, in accordance with General Assembly resolution 2621 (XXV), his delegation once again called on the administering Powers to take legislative, administrative or other measures without delay to bring an end to the activities of enterprises under their jurisdiction which were engaged in the excessive exploitation of the resources of the Non-Self-Governing Territories. On the other hand, e year the Special Committee must repeat its concern about activities of a military nature which the colonial Powers continued to conduct in the Territories under their administration to the detriment of the rights and interests of the peoples affected. Military bases and installations in colonial territories clearly impeded the exercise of self-determination by the peoples of those Territories and they must be immediately withdrawn. His delegation also opposed any attempts to utilize the Non-Self-Governing Territories and zones adjacent to those Territories for nuclear testing, nuclear waste disposal or the deployment of weapons of mass destruction of any type.

27. The limited choices which small Non-Self-Governing Territories encountered in the area of development posed a particular problem. The solution would require cooperation and assistance from the specialized agencies and other organizations of the United Nations system. Despite the efforts made, the resources available continued to be inadequate and activities to coordinate the efforts of the various agencies of the system were not sufficiently effective.

28. **Mr. Crighton** (Australia) noted that one of the most important events in recent years had been the signing in New Caledonia of the Noumea Accords. His delegation applauded the efforts of all involved in arriving at a broadly acceptable settlement of the future of New Caledonia through peaceful negotiation. Within the framework of that agreement, New Caledonia would gradually assume greater political and social powers over the next 15 to 20 years. At the end of that period, the residents of New Caledonia would decide whether to assume the sovereign powers of currency, justice, defence, public order and external relations. As a friendly neighbour, Australia was fully committed to cooperative and constructive relations with New Caledonia.

29. **Mr. Minton** (United States of America) said that, in view of the vast variety of peoples, places and political circumstances around the world, the United States did not believe that a single standard of decolonization could be applied to every Territory. In fact, the term "non-self-governing" was not wholly applicable to residents of a land who were prosperous and healthy in social and economic terms; who could own property in their Territory; who were free to travel, migrate and return without restriction; who could establish their own constitution; who elected their Territory's public officers; and who had a voice in the United States Congress. The majority of the Territories on the Fourth Committee's list of Non-Self-Governing Territories should be removed from the list. If the Committee recognized that most Territories sought either independence or full integration, the result would be a decrease in the number of Territories on the list.

30. Unfortunately, the Special Committee, which did not seem to be able to fulfil its mandate, was trying to become involved in other matters. Perhaps the time had come when the Fourth Committee no longer needed to operate through the filter of the Special Committee, whose time had already passed. The resolutions of the Fourth Committee also must change with the times so that they reflected reality. His delegation was especially disappointed by the Special Committee's decision to roll back the efforts that had resulted in the "omnibus resolution". The resolution on Guam represented a step backward, not forward, and would make it impossible to fulfil the mandate of decolonization by the year 2000.

31. The populations of the majority of the Territories in question no longer considered — if they ever had — that the activities of foreign economic interests or the presence of military installations in their Territories were detrimental to their interests. Such assertions were borne out neither by the reports prepared each year by the Secretariat nor by regional seminars or visiting missions. On the question of sending visiting missions to Territories, the usefulness of regional seminars and the modalities of visiting missions were still subject to discussion. Unfortunately, the Special Committee consistently ignored the efforts of some administering Powers to open a dialogue on those and other issues.

32. While his delegation recognized the Special Committee's interest in Guam, it felt that it was unfair to focus on that issue without also singling out the other Non-Self-Governing Territories. The United States supported the right of the people of Guam — *all* the people of Guam — to seek full self-government if they so desired. However, the people of Guam had thus far not sought to achieve self-government, and there were currently no indications that

they intended to do so. Another aspect of the issue was the fact that the United States immigration policy took family interests into account. The vast majority of immigrants in Guam were sponsored by residents of that Territory. Sponsors of immigrants who had no family ties in Guam had to prove that the jobs to be performed by the new immigrants could not be performed by current residents of Guam. Even more significant was the fact that the draft resolution on Guam focused on the interests of only one segment of Guam's population: the segment that was related to the Chamorro people. The United States supported the right of all the residents of Guam to express their views on the issue of the Territory's decolonization. It also supported the stable development of all forms of economic activity by all residents of Guam, regardless of how long they had been permanent residents on the island.

33. **Mr. Mahugu** (Kenya) said that, three and a half decades after the adoption of the Declaration on decolonization, there were still 17 Non-Self-Governing Territories. Although significant progress had been made in implementing General Assembly resolution 1514 (XV), much remained to be done to resolve outstanding issues. In that connection, he commended the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for its untiring efforts to eliminate the remaining vestiges of colonialism. He also recalled General Assembly resolution 46/181 of 19 December 1991, entitled "International Decade for the Eradication of Colonialism", and the Secretary-General's plan of action for freeing the world from colonialism by the end of the twentieth century. In accordance with the plan of action, the Special Committee had continued its visiting missions and had organized seminars to review the progress made in implementing the plan, with the participation of representatives of the peoples of Non-Self-Governing Territories, administering Powers and other interested parties. He supported the Special Committee's intention to review not only its methods of work but also the effectiveness of its strategies.

34. His delegation urged all administering Powers to continue to cooperate with the Special Committee to ensure that the plan of action was successfully implemented. He commended the Government of New Zealand for its cooperation with the people of Tokelau and its commitment to help them attain a greater degree of self-government and economic self-sufficiency in preparation for the determination of their future status. His delegation also welcomed the Secretary-General's recent encouraging report on the situation in Western Sahara. Significant progress had been made in the identification process, and he hoped that the outstanding issues, particularly those concerning certain tribes, would be addressed by the Secretary-General's Personal Envoy, Mr. James Baker III, during his next round of talks with the parties. He noted that the Office of the United Nations High Commissioner for Refugees (UNHCR) had continued its preparatory work for the repatriation of Saharan refugees, as provided for under the Settlement Plan. He welcomed the Moroccan Government's decision to formalize the presence of UNHCR and to give it free access to the Territory of Western Sahara. It was important that UNHCR should begin a number of pending activities in the Territory, including confidence-building, infrastructure development and road reconnaissance. It was also important that the demining of sites for the repatriation of refugees eligible to vote and their immediate families, as well as other Saharan residents outside the Territory, had already begun. However, those activities could not be effectively completed until arrangements for the implementation of the repatriation programmes had been finalized between the United Nations Mission for the Referendum in Western Sahara (MINURSO) and the two parties. He hoped that those arrangements would be put in place as soon as possible.

35. It was necessary to proceed in a balanced and careful manner in addressing the remaining political and operational issues that still hampered the smooth implementation of the plan. He encouraged the parties concerned to continue to cooperate with the Secretary-General, through his Personal Envoy and his Special Representative, in seeking a final solution that would enable the referendum to be held as planned. He trusted that the efforts under way would break the impasse and ensure the smooth implementation of the settlement plan. Lastly, his delegation commended the work of the Fourth Committee, which continued to spearhead the international community's efforts in the area of decolonization.

36. **Mr. Kamal** (Pakistan) recalled that Article 73 (*b*) of the Charter of the United Nations emphasized the responsibility of the Administering Powers of colonized territories to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement. On the basis of those provisions of the Charter, the General Assembly had adopted on 14 December 1960 the historic Declaration on the Granting of Independence to Colonial Countries and Peoples, which affirmed that the process of liberation was irresistible and irreversible and that, in order to avoid serious crises, an end

must be put to colonialism and all practices of segregation and discrimination associated therewith.

37. The world community could proudly contend, nearly 40 years later, that the realization of freedom for hundreds of millions of people all around the globe through a persistent and determined process of decolonization was a remarkable achievement of the United Nations. The international community must strengthen its efforts if it was to complete the process of decolonization before the close of the current millennium. Unfortunately, despite the efforts that had been made, 17 Non-Self-Governing Territories remained under the colonial yoke. Those Territories were dependent on the support and cooperation of the international community in realizing their dream through the exercise of the right to self-determination.

38. Pakistan had consistently supported the right of self-determination for people all over the world. Unfortunately, despite the concerted efforts of the United Nations and the determination of Member States, the expression of self-determination continued to be curbed in many parts of the world. His delegation was deeply concerned at the failure of the international community to achieve the inalienable right of self-determination for the Kashmiri people, who had been under Indian occupation for over half a century. The international community had recognized the right of self-determination of the Kashmiri people, notably in Security Council resolutions 47 (1948), 51 (1948), 80 (1950), 96 (1951), 98 (1952) and 122 (1957). There was, however, a lack of commitment in seeking the implementation of those resolutions. All Security Council resolutions, without exception, must be implemented.

39. Over the past 10 years, India had used brute military force to suppress the indigenous struggle of the Kashmiri people for self-determination. Kashmir was currently occupied by more than 650,000 Indian troops. Over 60,000 Kashmiris had been killed, and women and girls were systematically raped as a strategy of war. Deaths in custody, arbitrary arrests, summary executions and disappearances were routine occurrences. In recent months, India had intensified artillery and mortar fire across the Line of Control in Kashmir. The unabated Indian atrocities and the denial of the Kashmiri people's right to self-determination was a challenge to the whole world, particularly for those who prided themselves on upholding freedom and fundamental human rights.

40. Jammu and Kashmir was a pure and simple case of neocolonialism. The Indian claim that Jammu and Kashmir was an integral part of India was not legally or historically tenable. Jammu and Kashmir was an internationally recognized disputed territory. It remained on the agenda of the United Nations as an unresolved dispute. The international community could not remain indifferent to the plight of the Kashmiri people. The denial of their right to self-determination was a violation of the Charter of the United Nations and of the principles outlined in the Declaration.

41. **Mr. Powles** (New Zealand) said that 1998 had been an important year in New Zealand's relations with the Special Committee in respect of Tokelau. In July, the Ulu-O-Tokelau, titular head of the Territory, had addressed the Committee. That had been the third time since 1987 that one of the Faipule (elected leaders of the atolls) had addressed the Special Committee.

42. In terms of the history of decolonization after the Second World War, Tokelau hardly seemed typical. There were some 1,500 people living on the three atolls which made up Tokelau. Tokelau had never been a single political entity in the modern sense but rather comprised three villages which had been largely autonomous for hundreds of years. Nor did New Zealand's involvement fit the normal pattern. There had never, for example, been a resident New Zealand administrative presence in Tokelau.

43. During his presentation to the Special Committee in July, the Ulu had spoken of two concepts that were fundamental to Tokelau's thinking: "all fish under one rock" and "the house of Tokelau". The first signified that, in order to become fully self-governing, Tokelau had to ensure that all authorities were directly accountable to Tokelau institutions. The second involved looking at the foundation for full internal self-government — the villages — and laying a sound economic base. The General Fono, Tokelau's National Assembly, had endorsed those concepts in August as basic guidelines for the Territory's policy.

44. For New Zealand, as the Administering Power, such ideas about the way ahead involved the devolution of the executive and legislative powers that it had held. An important step, related to the work currently under way in Tokelau to put in place new village and national support services, would be the withdrawal of the New Zealand State Services Commissioner from his role as the employing authority of the Tokelau Public Service. The necessary legislative change was planned by the New Zealand Government to take place whenever Tokelau was ready. Against that backdrop, it was essential that the international community reassure Tokelau that it would continue to provide support after self-determination.

45. New Zealand continued to encourage Tokelau's constitutional, social and economic development. New

Zealand and Tokelau had recently reached agreement on reshaping New Zealand's Official Development Assistance Programme in order to better meet Tokelau's new development needs while helping to build the modern "house of Tokelau". From 1 July 1999, New Zealand's Official Development Assistance to Tokelau would comprise three main elements: continuing support for self-government, involving a financial contribution; project support for agreed infrastructure, enterprise development and technical assistance activities; and a trust fund to cover recurrent government expenditure. In addition, in order to provide predictable and assured support, New Zealand was prepared to commit itself to allocating not less than NZ$ 4.5 million a year for ongoing support for self-government for the five-year period beginning 1 July 1999.

46. An important contribution to Tokelau's progress was also being made by the United Nations family. The United Nations Development Programme had been second only to New Zealand in providing assistance for the development of Tokelau, including through the production of materials on the draft Constitution and Tokelau law. The United Nations Children's Fund, the United Nations Population Fund, the United Nations Volunteers, the World Health Organization, the International Telecommunication Union and the United Nations Educational, Scientific and Cultural Organization had also all provided valuable support. New Zealand and Tokelau were pleased that the Special Committee had seen merit in adopting a separate resolution on Tokelau, given the positive developments that had been occurring. Lastly, he expressed his delegation's satisfaction at developments in New Zealand's nearest neighbour, New Caledonia, particularly the signing of the Noumea Accords in May 1998.

47. **Mr. Al-Anbuge** (Iraq) said that, although the century and the International Decade for the Eradication of Colonialism were coming to an end, a number of Territories were still languishing under the yoke of colonialism. Some people explained that by saying that the peoples of those Territories preferred to be governed by the administering Powers, that they did not want independence and that they were small in number and lived in geographically remote regions. Some administering Powers used those Territories as military bases so as to conduct their policy from a position of strength with respect to other States. They also used those Territories for the dumping of nuclear waste, the exploitation of their natural resources and other types of activity that were harmful to their environment.

48. His country had played an active part in the work of the Special Committee on Decolonization since its establishment. The Special Committee called for the process of decolonization in all its forms and manifestations, whether political, military or economic, to be speeded up. His country was also firmly opposed to any change in the demographic character of colonial Territories, the erosion of their historical, cultural and ethnic differences, and also against any impairment of the rights of colonial Territories to their historical and cultural heritage. It was in favour of extending to colonial countries the right to self-determination and independence, irrespective of the size or location of such Territories. It had been emphasized in statements by the representatives of Non-Self-Governing Territories that it was essential to take into account the activities of the administering Powers in the Territories and to take urgent action to give effect to the mandate that was entrusted to the Special Committee under the resolutions of the General Assembly.

49. Nor should it be forgotten that the new forms of colonialism and hegemony that had been imposed on peoples were just as harsh as traditional colonialism. They frustrated the expression of the will of the people, damaged the environment of the developing countries and, worse still, imposed on them the values and culture of the metropolitan country. The colonial States shamelessly used all their political, economic and cultural might to attain those ends. International mechanisms were also used for the same purpose. The comprehensive sanctions against his own country were an attempt, in the interest of a dominant State, to punish a country, in spite of the fact that the sanctions served no further purpose. That showed that the old means of colonial oppression were still being deployed, although in a different form. In the struggle against colonialism it was essential to adopt a comprehensive approach, in politics, everyday affairs and programmes, in order to emphasize that the concepts of colonialism and hegemony were unacceptable to the international community.

50. **Mr. Alzayani** (Bahrain) said that the fifty-third session of the General Assembly was taking place on the eve of the third millennium and just before the year that would mark the fortieth anniversary of the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples. The International Decade for the Eradication of Colonialism, the focus of which was to achieve the goal of the comprehensive abolition of colonialism — which, however, still remained an unattainable dream for some of those who were suffering under the yoke of colonialism and exploitation — would soon come to an end. It could truthfully be claimed that the tireless struggle of the United Nations against colonialism was a justifiable source of pride and satisfaction, and was an example of the historic role that

the Organization had played throughout the world in the cause of decolonization.

51. The basis of the process of decolonization was the right of peoples to self-determination, independence and equality set forth in the United Nations Charter. Thirty-eight years after the adoption by the United Nations General Assembly of resolution 1514 (XV) on 14 December 1960, efforts to achieve the total elimination of colonialism were still continuing. To that end, the General Assembly had adopted a number of instruments, including resolution 35/118 of 11 December 1980 the annex to which contained the Plan of Action for the Full Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, by which the General Assembly had reaffirmed the inalienable right of all peoples under colonial domination to self-determination and independence. Those actions had enabled many countries to rid themselves of slavery and colonial dependence and to take their place in the community of nations. The Special Committee on Decolonization had made a significant contribution to that process. Colonialism was incompatible with the United Nations Charter and the norms of international law, hindered international economic cooperation and impaired the social, cultural and economic development of the Non-Self-Governing Territories.

52. **Mr. Khan** (India) said that the debate that was taking place provided an opportunity not only to underscore a faith in the principles that had guided the role of the United Nations in the historic process of decolonization, but also to discuss how best to bring that collective effort to fruition. At the present time, in the closing years of the century, it could legitimately be claimed that the trust imposed by the adoption of the Charter of the United Nations and the Declaration on Decolonization had been fulfilled. Much of the world was free, but the vestiges of colonialism remained a matter of concern. Near the end of the International Decade for the Eradication of Colonialism, all people should approach the remaining tasks in a spirit of cooperation, understanding, political realism and the required flexibility. The administering Powers should fulfil their obligation to protect the economies and ecologies of those Territories while providing their people with the opportunity to decide what was in their best interest. The core of the endeavour should continue to be to satisfy the desires of the people of the remaining Non-Self-Governing Territories. It was for the people of those Territories themselves to choose the kind of political system they preferred.

53. As a founder Member of the United Nations, his country had always associated itself fully with the important and arduous task of obtaining the noble goal of decolonization and was proud to have been among the co-sponsors of the Declaration on the Granting of Independence to Colonial Countries and Peoples. It would, as always, continue steadfastly to extend support for the cherished values of humaneness, coexistence, progress and freedom.

54. **Ms. Fei** (Singapore) said that since the 1960s her country had provided technical assistance to other developing countries, including Non-Self-Governing Territories. It had provided technical assistance in areas in which it had the expertise. Through such programmes, her country hoped to be able to share positive aspects of its development experience with other developing countries, including Non-Self-Governing Territories, thereby contributing to the development of their economies.

55. Her Government was pleased to inform the Committee that, in the past five years, 22 officials from seven Non-Self-Governing Territories had either attended short-term training courses in her country or had made a study visit to Singapore under its cooperation programme. In the framework of that overall programme, technical assistance programmes were formulated to meet the training needs of interested countries. Her country provided training in several areas, including civil aviation, port management, environment management, telecommunications, productivity, information technology, banking and finance. It was committed to sharing its development experience with other developing countries including Non-Self-Governing Territories.

56. **Mr. Tekaya** (Tunisia) said that the United Nations had translated into reality the principles of freedom and human dignity and had enabled peoples under colonial domination to determine their destiny. Nevertheless, that work was not yet completed, since a number of Territories were not yet able to realize their right to self-determination. That was all the more urgent, now that the Organization had set itself the task of eliminating colonialism by the end of the twentieth century. In order to complete that process, it was necessary to determine, together with all interested parties, the phases and means of attaining the set goals. In that connection, it would be useful to develop cooperation between the Special Committee and the administering Powers, providing for general measures by agreement between the two parties and with the participation of the population of the Territories concerned. It was necessary to know the aspirations of those peoples, since they needed to make a free choice and to determine their own future political status. The Special Committee's task was to assist them in that process.

57. The dissemination of information on colonization made peoples more aware of their rights and of the opportunities for realizing those rights. The cooperation of the

administering Powers was very significant, since it helped to create the conditions needed for realizing those rights. There was also a need to monitor the situation in the Non-Self-Governing Territories and to assess it in order to facilitate their economic and social development. In that connection, the regular transmission of information by the administering Powers of information on the economic and social conditions and also on the political situation in the Territories, as well as the conduct of seminars and of visiting missions to the Territories, constituted an effective means which should be more widely used in practice.

58. **Mr. Yousefi** (Islamic Republic of Iran) said that decolonization was an area in which the United Nations had played an important role, resulting in remarkable achievements in addressing the aspirations of peoples for self-determination and independence. However, some territories remained on the list of Non-Self-Governing Territories. Therefore, it could not be ignored that decolonization was yet to be completed, and required further practical solutions for the protection of the inalienable rights of the peoples of those Territories.

59. At the end of the International Decade for the Eradication of Colonialism and on the eve of the new millennium, it was unfortunate that the process of decolonization had not yet been concluded. The international community should redouble its efforts at fulfilling the aims of a world free of colonial domination. His delegation believed that the principle of self-determination with respect to the remaining Territories within the framework of the Plan of Action should be implemented in accordance with the relevant General Assembly resolutions and the Charter of the United Nations.

60. His delegation called on the administering Powers to cooperate further with the Special Committee in the discharge of its mandate and to participate actively in the work relating to the Territories under their respective administrations. The peoples of those Territories had to be given the opportunity to exercise their right to choose their own future freely. In that regard, the Special Committee must continue its efforts for a speedy and unconditional end to colonialism in all its forms and manifestations, in accordance with the Declaration on decolonization.

61. With regard to the informal consultations between the Special Committee and the administering Powers in recent years, his delegation believed that those consultations had to be strengthened and transformed into formal cooperation and formal participation in the work of the Special Committee. It was imperative that the administering Powers should consider a new approach vis-à-vis the work of the Special Committee and render their cooperation where required.

62. His delegation emphasized the need to dispatch periodic visiting missions to Non-Self-Governing Territories in order to facilitate the full, speedy and effective implementation of the Declaration on decolonization. In the light of the constructive role played by such missions in the past, the General Assembly should attach utmost importance to the dispatch of visiting missions as a means of collecting adequate first-hand information on conditions in the Non-Self-Governing Territories.

63. He reiterated the need for the transmission of information by the administering Powers under Article 73 (*e*) of the Charter. Moreover, the contribution of the representatives of the Non-Self-Governing Territories to the work of the Special Committee was valuable, since they were able to provide information on the latest developments in the Territories. The General Assembly should renew its appeal to the administering Powers to cooperate more closely and formally with the Special Committee and to take all necessary steps for implementation of the Declaration and the relevant United Nations resolutions.

64. **Mr. Hassan** (Nigeria) said that Nigeria supported the principles of self-determination as enunciated in the Declaration on decolonization. It likewise supported all actions consistent with the Charter of the United Nations aimed at the elimination of colonialism all over the world. It believed in the efficacy of those principles and urged strict implementation of General Assembly resolutions on decolonization and self-determination.

65. Nigeria commended the innovative approach adopted by the Special Committee. Nigeria would continue to give its full support to the Special Committee in its endeavour to implement its objective of bringing an end to the era of colonialism by the year 2000. Assistance should be given to the colonial Territories to help establish sound economic foundations and good political education so as to enable them to carry the responsibilities of self-government. The United Nations and its specialized agencies should increase development-assistance programmes to the Non-Self-Governing Territories, especially in human-resources development. His delegation would continue to participate actively in the work of the United Nations and its agencies to ensure the implementation of the International Decade for the Eradication of Colonialism. It would continue to cooperate closely with all members of the Fourth Committee to ensure the attainment of that noble goal.

66. **Mr. Bandora** (United Republic of Tanzania) noted that the United Nations would soon be celebrating the fiftieth

anniversary of the adoption of the Universal Declaration of Human Rights. That would afford the international community the opportunity to assess its performance in the area of human rights and to look at decolonization as one of its most important accomplishments in the promotion of that fundamental human right, the right to determine one's own political destiny. The growth in the membership of the Organization had been in large measure a result of the exercise by countries and peoples of their right to self-determination and independence. It should not be forgotten, however, that there remained 17 Territories whose people had so far not been able to exercise that right. Responsibility for that situation rested not with the United Nations but with those who continued to exercise colonial control over those Territories and who moved reluctantly towards granting them their right to self-determination. The onus of granting the Non-Self-Governing Territories their right to self-determination rested with the administering Powers, and the United Nations had the responsibility to continue urging those Powers to expedite that process. The international community must have a continuing commitment to that principle and must continue holding the administering Powers to their responsibilities towards the Territories as well as to their obligations towards the rest of the international community. Their responsibilities included putting in place effective social and economic development programmes, giving them greater say in the exploitation of their natural resources and use of the accruing earnings, initiating and expanding, in consultation with the peoples of the Territories, political-education programmes to foster greater awareness by the people of their own and the global political environment as well as sensitizing them to the political-status options open to them in the exercise of their right to self-determination. In pursuance of Article 73 (*e*) of the Charter of the United Nations, the administering Powers must continue to transmit information on the Territories and to facilitate United Nations visiting missions to ascertain the level of progress and of preparedness of the population to exercise freely their right to self-determination.

67. It should be noted that a number of positive developments had taken place in the course of the past year. His delegation was particularly encouraged by the progress made in Western Sahara, in particular the willingness expressed by the parties to the conflict — the Frente POLISARIO and the Kingdom of Morocco — to work together towards the implementation of the settlement plan in accordance with the Houston agreements, and the statement by the Personal Envoy of the Secretary-General that he intended to initiate an evaluation of the plan to see whether it could be implemented in its present form or would require some adjustments. His delegation had also taken note of the progress made in the negotiation of a status-of-forces agreement between Algeria, Morocco and Mauritania. The conclusion of that agreement would be another major step towards the comprehensive implementation of the settlement plan. Both the Organization of African Unity and the United Nations were responsible under the plan for ensuring that the people of Western Sahara were given the opportunity to exercise their right to self-determination.

68. His delegation had also taken note of the agreement reached with regard to the future of East Timor. It urged the Governments of Indonesia and Portugal to continue their dialogue in order to reach definitive agreement on a permanent status for East Timor, taking into account the wishes of its people.

69. **Mr. Mekdad** (Syrian Arab Republic), speaking in exercise of the right of reply, said that he wished to comment on the statement made by the representative of the United States with regard to the mandate of the Special Committee on decolonization and its activities. A member of his delegation had had the honour of serving as Rapporteur of the Special Committee for a number of years. Like many other countries of the world, the Syrian Arab Republic was proud of the Special Committee's achievements. Many of the States now represented in the United Nations had achieved membership thanks to the efforts made by the Special Committee on decolonization on their behalf. The real difficulty was that some parties did not allow the Special Committee to perform its functions properly and that 17 Non-Self-Governing Territories were still under one form or another of colonial rule. At the same time, there had been a number of encouraging developments, particularly with regard to relations between New Zealand and Tokelau, and between France and New Caledonia, and so on. His delegation believed that the Special Committee's mandate was more significant today than ever. As for its activities, his delegation considered that everything possible should be done to enable it to establish contact with the people of the Non-Self-Governing Territories. Some States continued to prevent the Special Committee from doing its work and did not allow it to send visiting missions to those Territories. The Special Committee's visiting missions were the only way in which it could receive first-hand information and learn the wishes of the people of the Non-Self-Governing Territories. It was encouraging that an overwhelming majority of the world supported the role of the Special Committee. That support had been expressed in the Fourth Committee and at the summit meetings of the non-aligned movement. Instead of seeking to cast doubt on the role of the

Special Committee, it would be better to enter into a direct dialogue with it and allow it to carry out its work.

70. **Mr. Ovia** (Papua New Guinea), speaking in exercise of the right of reply said that he wished to comment on the statement made by the representative of the United States. His delegation believed that the Special Committee on decolonization could make significant progress when it had the full cooperation of the administering Powers. Examples of such cooperation could be found in the relations between France and New Caledonia and between New Zealand and Tokelau, as well as in many other Territories. In that connection, he appealed to the United States to cooperate fully so that the Special Committee could make progress in its work. He thanked all the Members of the United Nations for their support of the work of the Special Committee. In his opinion, the statement by the United States representative that perhaps the Special Committee's time had passed contradicted the general trend. With regard to the question of Guam, the degree to which the separate resolution on it represented a step forward or backward, the representatives of the people of Guam had already addressed the Committee and in his delegation's opinion, it was a step forward. At present what was important was the wording to be used in the resolution and he called on delegations to consider, together with the people of Guam, the contents of the resolution and to continue their efforts to put an end to colonialism.

71. With regard to the question of the holding of regional seminars, he said that for many years the Special Committee on decolonization had requested that visiting missions should be sent. Visiting missions to specific Territories such as Guam and meetings with their inhabitants enabled the Special Committee to make progress in its work. He was convinced that only by means of visiting missions could the Special Committee and other parties learn about the situation on the spot.

72. **Mr. Benitez Verson** (Cuba), speaking in exercise of the right of reply, said that his delegation would certainly prefer that a spirit of cooperation rather than confrontation should prevail in the Committee's work because cooperation was the best way to support the efforts of the United Nations in the field of decolonization. Nevertheless, after the statement made by the representative of the United States, his delegation had no choice but to exercise its right of reply. After the adoption by the General Assembly of dozens of resolutions on the question of decolonization on the recommendation of the Special Committee, the United States delegation was announcing to the Committee that its mandate no longer had any meaning. To call into question the mandate of the Special Committee on decolonization at a time when the United Nations had still not achieved the goals of the International Decade for the Eradication of Colonialism was not only surprising but would have very dangerous consequences. In its statement, the representative of the United States had also called into question the usefulness of holding regional seminars. In its resolutions on the subject the General Assembly took the diametrically opposite point of view. It emphasized the importance of such seminars as a means of fostering the exchange of opinions and of ensuring the participation of the Non-Self-Governing Territories, the administering Powers and experts. Finally, in connection with the statement that the Special Committee had taken a step backwards on the question of Guam, he said that the Committee was doing everything possible to achieve an agreement satisfactory to all sides while taking into account the legitimate interests of the people of Guam. He expressed regret at the lack of cooperation on the part of the administering Power in seeking to achieve those goals. The first step in the right direction would be for the United States finally to allow a visiting mission to visit the Territory of Guam so that it could learn at first hand how matters stood. Unfortunately, despite repeated requests, more than 20 years had elapsed since a mission had been able to visit Guam.

The meeting rose at 1 p.m.